

PLANNING COMMISSION WORK SESSION
Wednesday, April 1, 2026 @ 6 PM
Town Hall – 2nd Floor, East Conference Room

AGENDA

CALL TO ORDER

ROLL CALL

WORK SESSION BUSINESS

1. **2600056** – A Special Use Permit Application to allow a Short-Term Rental, as defined in Town Code §175-3, submitted by Robert and Melissa Mitchell, and located at 1521 N. Royal Avenue, identified by Tax Map 20A3-3-66-21A. The property is zoned R-1, Residential District.
2. **2600105** – An application for a Zoning Text Amendment to define Firearms Retail Establishment and Firearms Manufacturing in Town Code §175-3 and amend Town Code §175-39.A to permit Firearms Retail Establishments by-right in the C-1 Community Business District and to amend Town Code §175.39.B to permit Firearms Manufacturing by Special Use Permit.
3. **2600134** – A Zoning Text Amendment to Town Code §175-3 to redefine Urban Agriculture and Agricultural Pursuits; an amendment of the Performance Standards contained in Town Code §175-110.5, to clarify lot sizes and permitted animals.
4. Zoning Ordinance Draft – Review I-2 Zoning District and Definitions.

ADJOURNMENT

WORK SESSION – ITEM 1

2600056 – A SPECIAL USE PERMIT APPLICATION TO ALLOW A SHORT-TERM RENTAL, AS DEFINED IN TOWN CODE §175-3, SUBMITTED BY ROBERT AND MELISSA MITCHELL, AND LOCATED AT 1521 N. ROYAL AVENUE, IDENTIFIED BY TAX MAP 20A3-3-66-21A. THE PROPERTY IS ZONED R-1, RESIDENTIAL DISTRICT.

Town of Front Royal
Department of Planning and Zoning
102 East Main Street
PO Box 1560
Front Royal, VA 22630

Main: 540.635.4236
Fax: 540.631.2727
planning@frontroyalva.com

Permit #: 2600056
Fee Amount: \$1200.00 Check # 2234
Date Paid: 2-17-26
Date Received: 2-17-26

SPECIAL USE PERMIT REQUEST FOR SHORT TERM RENTAL

APPLICANT:

NAME: ROBERT + MELISSA MITCHELL PHONE: 704-267-3507
ADDRESS 12373 SAN JOSE DR.; RESTON, VA 20191
E-MAIL _____

PROPERTY OWNER:

NAME: SAME PHONE: _____
ADDRESS _____
E-MAIL _____

PROPERTY DESCRIPTION:

PROPERTY ADDRESS 1521 N. ROYAL AVE.
TAX MAP 20A3 SECTION 3 BLOCK 66 LOT 21A
SUBDIVISION NAME _____
ZONING DISTRICT R-1 ACREAGE 4.3
SPECIFIC SPECIAL USE PERMIT REQUEST _____

- ☒ Whole house rental ☐ Partial rental, # of rooms rented _____
☐ Primary Residence ☒ Secondary Residence

ATTACHMENTS: The following must be submitted with the application. Additional information may be required depending on the nature of the request.

- ☒ Survey plat or sketch to scale of property showing all **existing** improvements, parking and refuse area and property boundaries.
☒ Provide a map of area attractions
☒ Provide proof that notification to operate was sent to the HOA, if applicable.
☒ Complete management plan.
☒ Written consent given to the Town to inspect for compliance.
☒ Emergency dwelling evacuation diagram (posted in each bedroom)
☒ Application fee of \$1200.00

RECEIVED
FEB 17 2026
TOWN OF FRONT ROYAL
PLANNING & ZONING DEPARTMENT

IN CASE OF AN EMERGENCY

If there is an emergency, or there are questions in regard to the property, please contact (owner) ROBERT MITCHELL
at (phone number) 704-267-3507 or (property manager) MELISSA MITCHELL
at (phone number) 704-645-7115.

If the emergency requires immediate assistance, please call the following or 911.

Front Royal Police Department: 540-635-2111 or 911, 900 Monroe Ave, Front Royal, VA 22630

Front Royal Fire Department: 540-635-2540 or 911, 221 N Commerce Ave, Front Royal, VA 22630

****If no answer please call the Warren County Sheriff's Department:** 540-635-4128 or 911

Front Royal Fire & Rescue: 540-635-3830 or 911, 200 Skyline Vista Drive, Front Royal, VA 22630

Warren Memorial Hospital: 540-636-0300 or 911, 351 Valley Health Way, Front Royal, VA 22630

Electrical Outage: 540-635-3027, 1101 Manassas Avenue, Front Royal, VA 22630. Outages may be reported online at <https://www.frontroyalva.com/FormCenter/Energy-Services-6/Report-Electric-Problem-46>.

Emergency/afterhours 540-635-2111

OCCUPANCY

The Special Use Permit limits the occupancy for this short-term rental at 10 People and 6 Bedrooms.

NOISE

It shall be a violation of Chapter 106 of the Front Royal Town Code for any person, without compelling reason, to make noise that by reason of its volume, pitch, duration, or repetition, considering the time of day, is likely to disturb the rest of any person of ordinary sensibilities or interfere with such person's lawful and peaceful enjoyment of property owned or rented by him.

PARKING

Minimum available parking is 8 vehicle(s) in the driveway.

TRASH AND RECYCLING

All trash and recycling shall be placed in containers provided by the owner.

- Trash receptacles are located (Clarify location of trash bags and receptacles)

BESIDE THE REAR PORCH, OFF OF THE KITCHEN

- Trash is collected (State the day of the week trash is picked up by the Town and where the container is to be placed on trash day)

Monday

CHECK-IN & CHECK-OUT

Provide details

check in is 4pm
checkout is 11am
guests will use door code

WIFI/PHONE/ETC

Provide details for special amenities if available

WIFI provided
password will be provided upon reservation

SPECIFIC PROPERTY DETAILS

Provide details regarding acreage, landscape, property boundaries (no trespassing notice), unique characteristic, warnings, kitchen use, house amenities, HVAC, etc.

Property boundaries are marked by woods at the left and the edge of the driveway on right. 4.3 acres includes an ADU/cottage which serves as the owner's second home. Please do not disturb.

AREA ATTRACTIONS

Provide a map of area attractions

- Attractions: i.e., Shenandoah National Park, Shenandoah River State Park, Skyline Caverns, Golf Courses, Canoe Companies
- Groceries & Convenience: i.e., Walmart, Target, Martins, CVS
- Restaurants
- Wineries & Breweries

SPECIFIC PROPERTY REGULATIONS

May be dictated by approved conditions or owner preference, examples below

- No shooting of firearms
- No outdoor fire burning
- No fireworks

See the house manual in the booking agreement

- K. The owners of the rental shall provide an emergency evacuation plan for the dwelling and the neighborhood.
- L. A copy of Chapter 106 of the Town of Front Royal Code relative to noise must be provided at the short-term dwelling.
- M. All outdoor burning shall be in compliance with Chapter 78 of the Town of Front Royal Code.
- N. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation by the Zoning Administrator at any time.

Property Owner's Signature: Robert M Mitchell

CERTIFICATION:

I certify that the information provided with this application is correct to the best of my knowledge and should the special use permit be granted, the project will comply with the conditions imposed upon it and will be implemented only as approved by Town Council.

Signature Robert M Mitchell Date 2/11/26

By submitting this application, the applicant grants permission to Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.

As per Town Code Chapter 175-3 “Definitions”

Short-term rental- means the provision of a room or space that is suitable for, intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy. Any residential use that falls within the definition of short-term rental as defined in § 15.2-983, as amended, of Virginia State Code.

Short-term rental facility – A building or accessory structure, other than a hotel, motel, or bed-and-breakfast home, where lodging is provided for compensation on a short-term basis, and open to the public or transient guests. The maximum number of occupants shall not exceed ten (10) unless determined appropriate by Town Council.

Short-term rentals shall be permitted in all Zoning Districts by Special Use Permit and shall at a minimum meet the following requirements:

- A. The short-term rental owner of a dwelling unit to be used for a short-term rental shall apply for a Special Use Permit through the Department of Planning and Zoning and receive approval from Town Council prior to utilizing the dwelling unit as a short-term rental. Town Council may impose conditions necessary to mitigate adverse effects of the use on neighboring properties.
- B. The one-time application fee shall be \$1200.00.
- C. Staff will conduct an inspection prior to the issuance of the Special Use Permit approval. Additional inspections will be conducted on a complaint basis to ensure compliance with the performance standards listed in this section, along with any additional conditions imposed by Town Council, if applicable.
- D. The maximum number of occupants in the dwelling unit shall be determined by the number of bedrooms; there shall be no more than two (2) adults per bedroom. However, the maximum number of occupants shall not exceed 10 people unless approved by Council.
- E. Parking for the use shall be located in driveways or other designated and approved parking areas.
- F. There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property.
- G. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the current Uniform Statewide Building Code; and a carbon monoxide detector must be installed on each floor in every dwelling.
- H. The owner of the dwelling used for short-term rentals shall give the Town written consent to inspect any dwelling used for short-term rental to ascertain compliance with all the above performance standards upon a twenty-four-hour notice.
- I. A property management plan demonstrating how the short-term rental will be managed and how the impact on neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants and utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to Town staff, public safety officials and, if applicable, the HOA of the subdivision. The plan must be provided as part of the rental contract.
- J. If the property is located within a subdivision governed by a homeowners' association, the Planning Department must receive proof that a notification to operate the short-term rental was sent to the HOA.

SKYLINE CABINS
Property Management Plan/Guest Agreement for
“Edge Hill” (1521 N. Royal Ave.; Front Royal, VA)

Welcome to the House Manual and guest agreement for Edge Hill, a property managed by **Skyline Cabins**. We offer properties throughout the Shenandoah Valley accommodating two to ten guests. For additional information, please visit:
www.skylinecabins.net

CONTACT / EMERGENCIES

Most booking platforms require guest communication to occur through their messaging systems. Please use the platform messenger for non-urgent matters.

- **In case of emergency, dial 911.**
- Front Royal Police Department: 540-635-2111
- Front Royal Fire Department: 540-635-2540
- Front Royal Fire & Rescue: 540-635-3830
- Warren Memorial Hospital: 540-636-0300
- Electrical Outage: 540-635-3027, Emergency/After Hours: 540-635-2111

- **Owner Contact:**
Robert & Melissa Mitchell (Owners)
571-441-1713
- **If the owners cannot be reached or a faster response is required:**
Chris Morrison
540-252-9282

PARKING

- Because the owners use the cottage as a second home, **no more than six (6) vehicles** are permitted without prior approval. At no time will more than eight (8) vehicles be permitted, including vehicles for the second home/cottage.
- Street parking is prohibited at all times, and vehicles are subject to towing if they are left on the street or blocking access to the parking area on the property.

WIFI ACCESS

Network: Skyline Cabins

Password: Shenandoah! (case sensitive)

If Wi-Fi goes down, unplug the router for 30 seconds and reconnect. This resolves most issues.

ARRIVAL / DEPARTURE

- **Check-In:** 4:00 PM
Instructions + door code sent 2–4 days prior.
- **Check-Out:** 11:00 AM

- Yelling or disorderly conduct
- Vehicle noise/revving
- Nighttime outdoor activity

COMPLAINT RESPONSE POLICY

If a disturbance is reported:

1. One warning may be issued (when feasible).
2. Continued violations may result in:
 - Immediate eviction
 - No refund
 - Fines/damage claims
 - Law enforcement involvement

Severe disturbances may result in immediate removal without warning.

OCCUPANCY/PARTIES / EVENTS

Parties and events are strictly prohibited.

No gatherings exceeding booked occupancy of **10 guests**.

SHORT-TERM RENTAL (STR) COMPLIANCE

- This property operates as a permitted short-term rental under applicable Warren County/Town of Front Royal regulations.
- By staying at the property, guests agree to comply with:
 - Occupancy limits
 - Parking rules
 - Trash handling
 - Fire safety laws
 - Noise ordinances
 - Nuisance regulations
- Violations of house rules or conditions of the STR permit may result in:
 - Immediate termination
 - Removal without refund
 - Financial liability for fines, citations, or permit penalties

FIRE SAFETY

The property is equipped with smoke detectors, carbon monoxide detectors, fire extinguishers, and code-compliant emergency egress. Tampering with or disabling safety equipment is prohibited and may result in immediate termination without refund.

PET POLICY

Sorry, but because of the historic nature of this property and the quality of furnishings and finishes, no pets are permitted under any circumstances.

HOLIDAY RESTRICTIONS

- No check-ins or check-outs on:

Fire pit use must comply with **Front Royal Town Code Chapter 78** and Virginia burn laws.

- No open burning is permitted, only use of the provided firepit with a screen
- Firewood/approved logs only
- No trash, brush, debris
- Follow burn bans
- Fires supervised at all times
- No high-wind use
- Fully extinguish after use
- Do not move fire pit
- Must remain ≥ 25 ft. from structures
- Violations may result in:
 - Municipal fines
 - Fire response charges
 - Property damage liability
 - Revocation of fire pit privileges

Use constitutes agreement to these laws.

PUBLIC NUISANCE / DISORDERLY CONDUCT

Any conduct deemed a nuisance — including illegal activity, repeated complaints, or unsafe behavior — may result in:

- Immediate removal
- Forfeiture of charges
- Security claims
- Law enforcement referral

LINENS

- Extra bedding → closets/dressers
- Decorative shams not for use
- Extra towels → under sinks
- Non-white towels → hot tub
- Cleaning cloths → under sink

INVENTORY

Report missing/damaged items promptly.

NEST THERMOSTAT / HVAC

Rotate ring → adjust temperature

Press face → confirm selection

INCLEMENT WEATHER

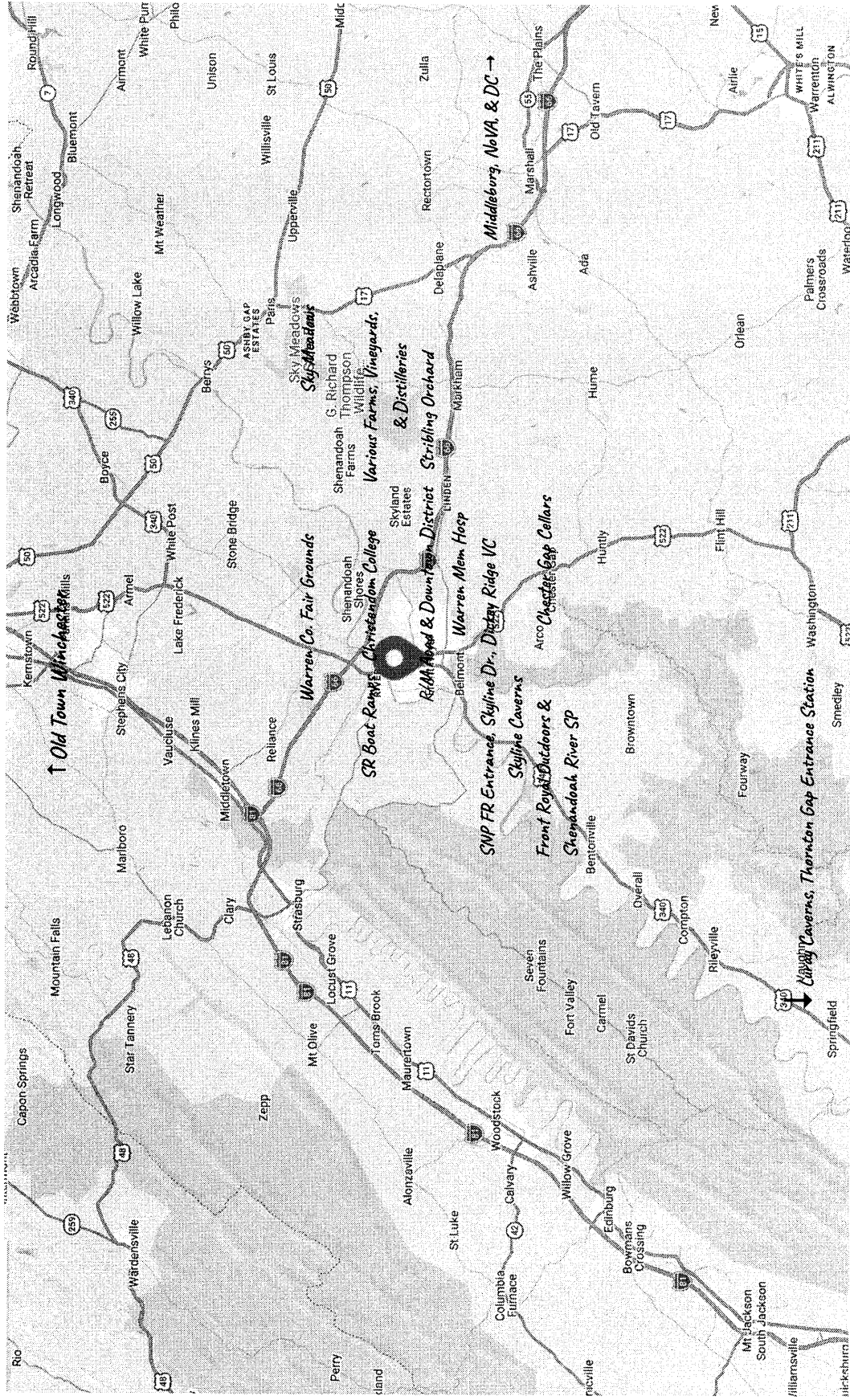
Driveways plowed after ~2" snowfall.

AWD recommended for steep drives. Road clearing is managed by local crews.

Consent to Inspect

We, the owners of 1521 N. Royal Avenue; Front Royal, VA, do give staff of the Town of Front Royal permission to inspect our property for compliance of STR regulations.

M Mitchell 2/16/20
Melissa A Mitchell 2/16/2020

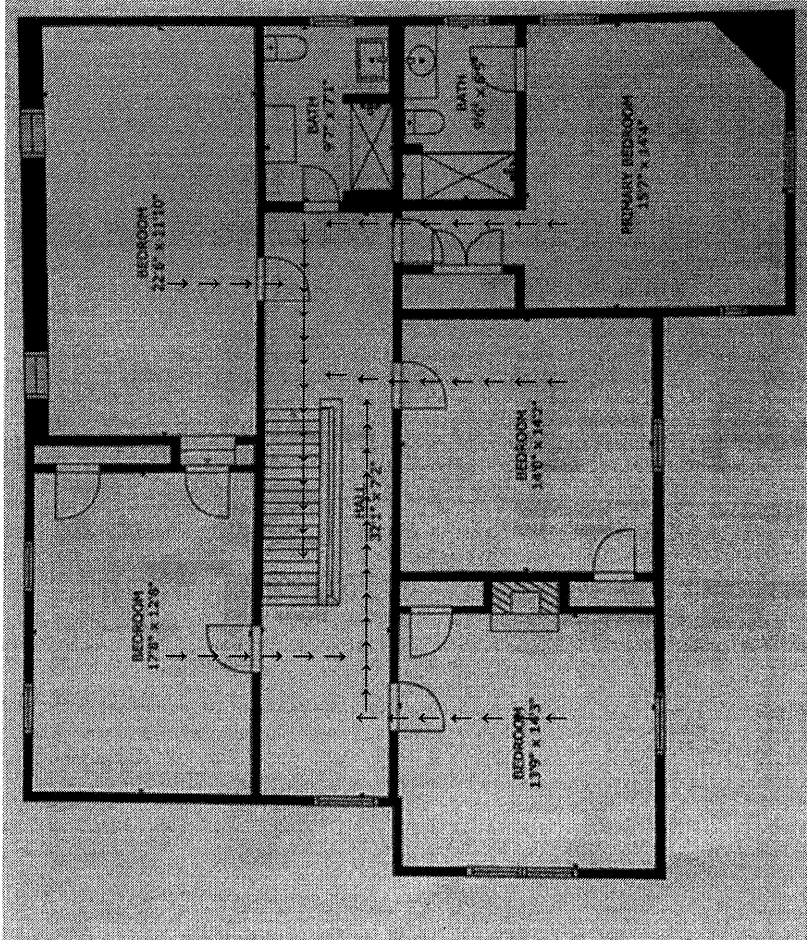
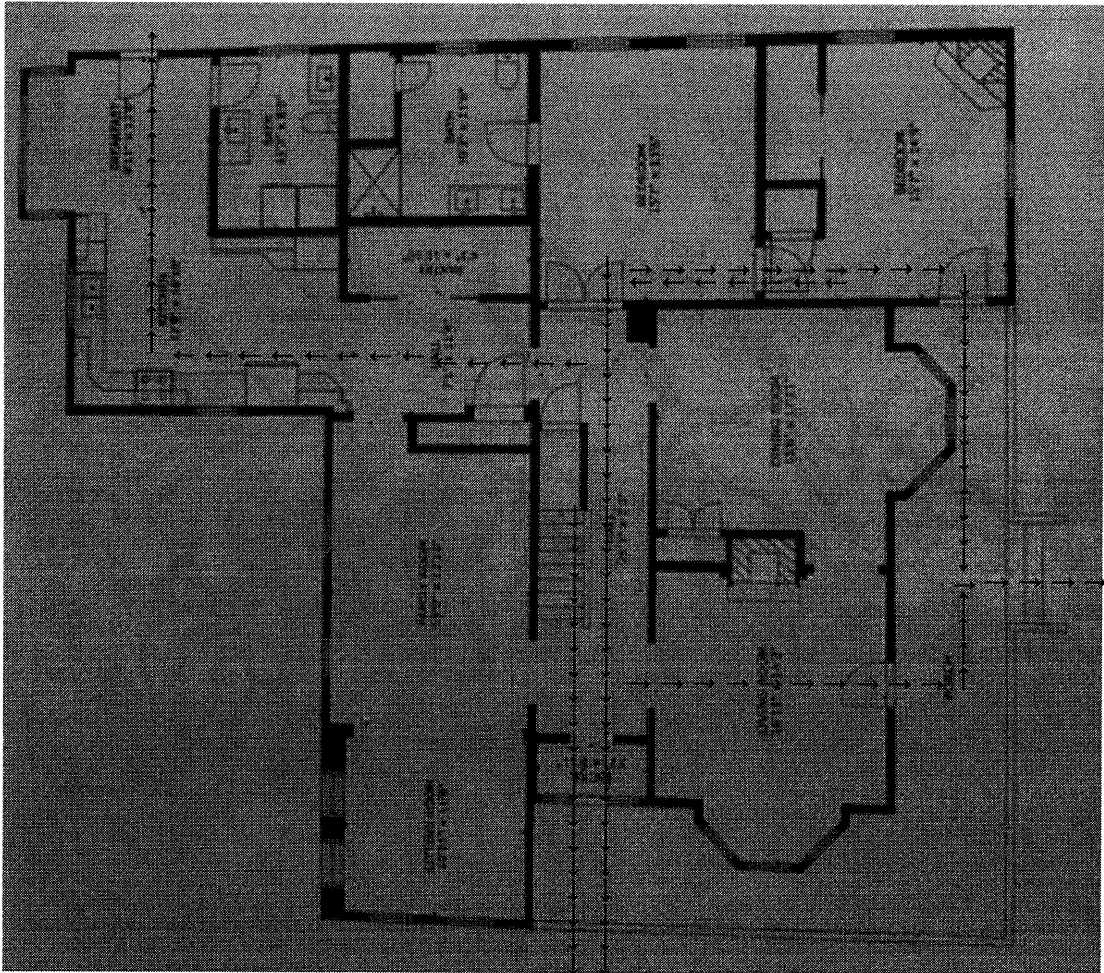


Nearby Attractions for 1521 N. Royal Ave.

FIRE EVACUATION MAP

← FIRST FLOOR

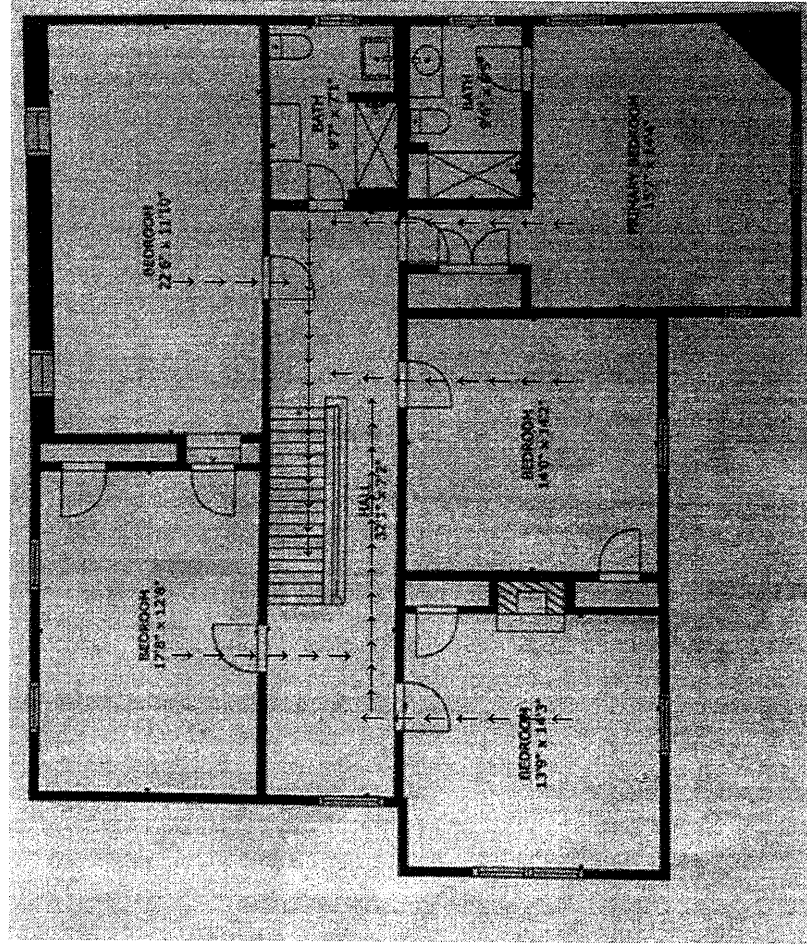
↓ SECOND FLOOR





This is a detailed architectural floor plan of a building, possibly a school or a government office. The plan is oriented with a north arrow pointing towards the top right. The layout includes a large central hall or atrium, several classrooms or lecture halls, a library, a cafeteria, and administrative offices. The drawing is a black and white line drawing with some shading to indicate depth and structure. The plan shows various rooms, corridors, and service areas, providing a comprehensive view of the building's interior layout.

↑ **SECOND FLOOR**



WORK SESSION – ITEM 2

2600105 – AN APPLICATION FOR A ZONING TEXT AMENDMENT TO DEFINE FIREARMS RETAIL ESTABLISHMENT AND FIREARMS MANUFACTURING IN TOWN CODE §175-3 AND AMEND TOWN CODE §175-39.A TO PERMIT FIREARMS RETAIL ESTABLISHMENTS BY-RIGHT IN THE C-1 COMMUNITY BUSINESS DISTRICT AND TO AMEND TOWN CODE §175.39.B TO PERMIT FIREARMS MANUFACTURING BY SPECIAL USE PERMIT.

Town of Front Royal
Department of Planning and Zoning
102 East Main Street
PO Box 1560
Front Royal, VA 22630

Main: 540-635-4236
Fax: 540-631-2727
planning@frontroyalva.com

Permit: # 2600105
Fee Amt: \$650.00
Date Paid: 3/9/26
Date Received: 3/9/26

ORDINANCE / TEXT AMENDMENT APPLICATION

APPLICANT:

NAME: David Cressell PHONE: 540-305-9845
ADDRESS 275 Gary Ln Front Royal, VA 22630
E-MAIL _____

TYPE OF REQUEST – Please mark type of request and complete information.

☒ **ZONING ORDINANCE TEXT AMENDMENT (Town Code Chapter 175)**

Code Section: 175-3 + 175-39

Description of amendments: Establishing Firearms Retail as any business engaged in the sale, manufacturing for sale or repair of firearms (guns/shotguns) where the assembly of firearms accounts for less than 35% of the retail stored inside of the commercial code instead of industrial. Also making Firearms Manufacturing and large scale assembly or making firearms for whole sale or distribution

☐ **LAND SUBDIVISION TEXT AMENDMENT (Town Code Chapter 148)**

Code Section: _____

Description of amendments: _____

REQUIRED MATERIALS LIST

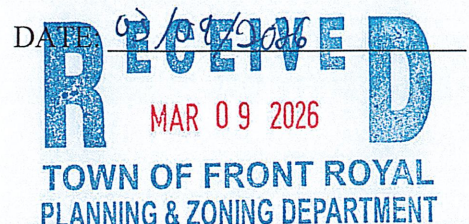
- ☒ One (1) copy of application (this form completed).
☒ Letter explaining request and public purpose necessitating the amendment.
☒ Application Fee – Check # _____ Cash _____ Card ☒
☒ Copy of text amendment.

All public hearing materials must be submitted at one time by 4:30 PM on the deadline date for the next regular meeting in order to be placed on the agenda. **Only complete applications, which include all the above materials, will be accepted.**

I/we hereby certify that I/we own property within the Town of Front Royal and that the above information is complete and correct.

SIGNATURE: David Cressell
Applicant

June 11, 2025



175-3 DEFINITIONS

Firearms Retail Establishment: any business engaged in the sale, manufacture for sale, or repair of firearms and where the assembly of firearms accounts for less than 35% of the retail area.

Firearms Manufacturing: a large-scale assembly or making firearms for wholesale or distribution.

COMMUNITY BUSINESS DISTRICT (C-1)

175-38 STATEMENT OF INTENT (C-1)

The Community Business C-I District is intended to accommodate general business areas, highway-oriented commercial uses, and selected retailing operations. The Community Business C-I District recognizes the demand for a variety of land uses near or adjacent to the major traffic arteries in Town.

175-39 USE REGULATIONS (C-1)

- A. Subject to the standards and requirements set forth in this Chapter, except as prohibited or restricted by separate restrictions of record that may pertain to property within the C-1 District, the following uses of land and buildings are permitted by-right in the C-1 District:

RESIDENTIAL:

Up to three (3) dwelling units of any type, but not on the ground floor.

Caretaker quarters.

COMMERCIAL:

Appliance stores and repair services.

Assembly Halls.

Automobile and truck sales lots and leasing agencies, in accordance with Section 175-44.E.

Automobile service stations, in accordance with Section 175-110.

Bakeries, when products are sold as retail on the premises.

Banks, branch banks, and financial institutions.

Barber and beauty shops.

Car washing.

Catering Services.

Contractor's offices, display rooms and storage.

Commuter parking facilities.

Department Stores.

Drugstores.

Firearms Retail.

Florist shops/floral designers.

Funeral homes.

Furniture stores.

Grocery stores.

Hardware stores.

Laundries, Laundromats and dry cleaners.

Lumber and building supply, with storage under cover.

Machinery sales and service.

Motels, hotels, and tourist homes.

Newspaper and other printing establishments.

Personal Services.

Retail Stores, as defined in Section 175-39.C.

Pharmaceutical Center.

Professional and Business Offices.

Radio and television broadcasting stations, studios or offices.

Recreational Facility, Commercial.

Restaurants, including drive-in restaurants.

Special childcare services.

Technology business, as defined in Section 175-3, provided that such use does not involve broadcast or communications towers or manufacturing operations.

Theatres, Indoor.

Tobacco, smoke or vape shop in accordance with provisions of Section 175-152.

Veterinary hospitals.

Wearing-apparel stores.

INDUSTRIAL:

ORGANIZATIONAL:

Art galleries and museums.

Churches.

Public libraries.

MISCELLANEOUS:

Accessory uses, structures and buildings.

Home occupations.

Open Space.

Public facilities.

Public parks and playgrounds.

Public utilities.

Signs, as set forth in Section 175-106.

Special childcare services.

Such other uses as determined similar to one (1) or more enumerated uses by the Zoning Administrator.

- B. The following uses are permitted within the C-1 District only by approval of a special use permit, except as prohibited or restricted by separate restrictions of record that may pertain to property within the C-1 District:

RESIDENTIAL:

Apartments or dwelling units, with four (4) or more units or where located on the ground floor, subject to the provisions of Section 175-113.

COMMERCIAL:

Automobile garages, excluding where repairs work is only an accessory use, subject to the requirements of Section 175-110.3 where motor vehicle painting or body work services are provided.

Automobile Parking Lots, commercial.

Bed and Breakfasts, as set forth in Section 107.3.

Day Care Facilities and schools, subject to the provisions of Section 175-107.1.F, and any necessary improvements or changes to address the considerations of that section.

Farmers' markets, and flea markets, in accordance with Section 175-44.F.

Kennels.

Shopping centers as set forth in Section 175-111.

Tobacco, smoke or vape shop.

INDUSTRIAL:

Distribution facilities, subject to the standards and criteria for industrial uses provided in Section 175-70.

Firearms Manufacturing.

Wholesale establishments with storage and processing, subject to the standards and criteria for industrial uses provided in Section 175-70.

ORGANIZATIONAL:

Schools.

MISCELLANEOUS:

Any use permitted under Section 175-39, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of Section 175-41, subject to the requirements of Section 175-136. Additional heights approved by a special use permit shall be required to increase the required setback and yard area requirements by an equivalent distance from each property line.

Conservation areas.

Communication towers, in accordance with Section 175-110.4.

Conversion of a structure originally designed and intended for occupancy as a single-family dwelling into a structure with more than one (1) dwelling.

Boarding Houses, Clubs and Lodging Houses.

Mini-warehouses, subject to the standards of Section 107-44.G.

Nursing homes, as set forth in Section 175-107.

Parking Structures.

Structures with a height between forty-five (45) feet and seventy (70) feet, and any residential structure not in conformance with the height limitation of Section 175-41.

Structures with a gross floor area of fifty thousand (50,000) square feet or more.

Townhouse-style commercial development, where the intent is to divide the property into individual lots.

- C. For the purpose of this section, "retail stores" are defined as buildings for the display and sale of merchandise at retail or for the rendering of personal services, but specifically exclusive of coal, wood and oil and lumberyards, accessory uses, adult bookstores (stores engaged in the sale of magazines and other publications of sexually-oriented nature), massage parlors and stores engaged in the sale of sexual aids, devices and merchandise.

(Ord. of 7-25-05; Ord. of 7-28-08; Ord. of 6-22-15; Ord. of 2-24-25(2))

175-40 AREA REGULATIONS (C-1)

A. *Minimum Lot Size:*

1. Residential uses with four (4) or more units = six thousand (6,000) s.f. first unit; one thousand five hundred (1,500) s.f. each additional unit.
2. All other uses: Seven thousand five hundred (7,500) s.f.

- B. *Minimum Unit Size:* The minimum average unit size (floor area) per dwelling unit, where fewer than four (4) units are provided shall be three hundred (300) square feet. No dwelling unit shall have less than two hundred fifty (250) square feet of living area. This living area shall not include bathroom, closet and storage space.

- C. *Minimum District Size:* Five (5) acres.

D. *Minimum Lot Width:*

1. Interior Lot: Seventy-five (75) feet.
2. Corner Lot: Ninety (90) feet.

175-41 MAXIMUM HEIGHT OF BUILDINGS (C-1)

- A. *Residential Buildings:* Thirty-five (35) feet, except as otherwise provided in this section.

- B. *Other Principal Buildings:* Forty-five (45) feet except as provided in Section 175-39.B.

- C. *Residential structures* may have a maximum overall height of forty-five (45) feet, provided that the slope of the roof exceeds thirty-five (35) percent and the required yards are increased by one (1) foot for each foot in height over thirty-five (35) feet.

- D. *Exemptions from height requirements:*

-
1. Church spires.
 2. Belfries.
 3. Cupolas.
 4. Municipal water towers.
 5. Chimneys.
 6. Flues.
 7. Flagpoles.
 8. Television antennas.
 9. Radio aerials.
 10. Parapet walls up to four (4) feet above the height of the building on which the wall rests.
- E. *Accessory buildings and structures:* Thirty-five (35) feet; however, in no case, shall the height of an accessory structure exceed the height of the principal structure.
- (Ord. of 6-22-15)

175-42 MINIMUM SETBACK AND YARD DIMENSIONS (C-1)

- A. *Principal Structures*, when abutting properties are in a commercial or industrial district.
1. Front setback:
 - a. Where no parking is provided between the structure and the street: five (5) feet. Provided, however, that no drive aisle shall be located within five (5) feet of any structure having a setback less than fifteen (15) feet.
 - b. Where parking is provided between the structure and the street: fifty (50) feet.
 2. Side: Ten (10) feet on one (1) side only.
 3. Rear: Fifteen (15) feet.
 4. Corner side: Fifteen (15) feet.
- B. *Accessory Structures:*
1. Front setback: Twenty-five (25) feet, except that accessory structures shall not be located closer to the street than the principal structure.
 2. Side: Five (5) feet or fifty percent (50%) of building height, whichever is greater.
 3. Rear: Five (5) feet or fifty percent (50%) of building height, whichever is greater.
 4. Corner side: Twenty (20) feet, except that accessory structures shall not be located closer to the street than the principal structure.
- C. *Transitional yards*, when located adjoining a residential district.
1. Side yard: Fifteen (15) feet.
 2. Rear yard: Twenty (20) feet.
 3. No structures, storage, use or parking shall be located in a transitional yard.
 4. Transitional yards shall be landscaped in accordance with the provisions of Section 148-44.

-
- D. Where parking is provided in a perpendicular manner between the principal structure and the street a minimum parking setback of ten (10) feet and a minimum building setback of fifty (50) feet shall be provided. The parking setback shall be landscaped in accordance with Section 148-48(E)(2).
 - E. The Town Council may waive the setback, yard and lot size requirements for townhouse style commercial project, approved by special permit, where such waiver is needed to produce a functional and desirable site layout; provided, however, that no adverse impact to adjoining property results from the waiver.

175-43 OPEN SPACE REGULATIONS (C-1)

- A. Maximum building coverage for apartment structures exceeding four (4) units: Fifty percent (50%).
- B. Maximum building coverage for all other structures: Seventy-five percent (75%).
- C. Maximum impervious surface coverage: Ninety percent (90%), including off-street parking.

175-44 PERFORMANCE STANDARDS (C-1)

- A. *Screening:*
 - 1. Except where otherwise specifically approved in the Town Code, permitted uses shall be conducted wholly within a completely enclosed building.
 - 2. Outdoor storage, outdoor display or outdoor sale of goods shall only be permitted when each of the following standards are met:
 - a. Outdoor storage, outdoor display, or outdoor sale of goods shall be used in direct association with the primary use or uses of the property.
 - b. Outdoor storage, outdoor display and/or outdoor sales shall be screened to obstruct view from any adjacent public street. A screen may consist of a building, solid masonry wall, uniformly painted solid board fence or landscaping. The height of the screening shall be six feet (6') unless an alternative height is approved by the Planning Commission during the review of a site plan.
 - 3. The following types of outdoor display and/or outdoor sales shall be exempt from the requirements of Section 175-44.A.2.b:
 - a. Motor vehicles.
 - b. Power operated machines designed for outdoor labor, such as farming, construction or lawn maintenance, as well as large equipment, products, and materials designed to be kept outdoors.
 - c. Plants and other landscaping products typically sold with plants.
 - d. Temporary or seasonal activities, such as but not limited to, peddlers, yard sales, and itinerant merchants that have obtained approval from the Town.
 - e. Pre-manufactured buildings.
 - f. Vending machines.
 - g. General products, goods, merchandise, and/or materials, provided that: (i) no more than two hundred (200) square feet of area is used, and (ii) outdoor display and/or sales are restricted from the evening and night hours from 8:00 p.m. to 5:00 a.m., except that general products, goods, merchandise, and/or materials may be kept outdoors if located under a roofed structure.
 - h. Flea markets, subject to any conditions issued with special use permit, performance standards of the underlying zoning district, and requirements of Section 98-46 of the Town Code.

-
4. Commercial development shall be permanently screened from adjoining and contiguous residential district by a wall, fence, evergreen hedge, and/or other suitable enclosure with a minimum height of six (6) feet. Any area between such enclosure and the property line shall be landscaped to form a permanent screening area. The requirement for a screening area may be waived if equivalent screening is provided by existing parks, recreational areas, or by topographic or other natural conditions.
 5. The provision of subsection A.4 above, shall not apply when the (architectural) front of any commercial building faces the street across from a residential district or when strict application of the requirement relative to screening can be demonstrated as not serving the purpose for which it is intended.
- B. *Lighting:* Lighting facilities shall be arranged in a manner that will protect the public roadway and neighboring properties from direct glare, intrusion or hazardous interference. Parking lot and building lighting shall be directed so that the lighting does not extend beyond the property boundary. Lighting facilities shall be required along private and public streets and within parking areas, installed at the developer's expense.
- C. *Miscellaneous:*
1. No flammable or explosive liquids, solids or gases shall be stored in bulk above ground; provided, however, that tanks or drums of fuel directly connecting to energy devices, heating devices or appliances located on the same lot as the tanks or drums of fuel are excluded from this provision.
 2. All fuel and raw materials stored outdoors shall be enclosed by a fence adequate to conceal the facilities from any adjacent properties or roadways.
 3. No materials or wastes shall be deposited upon a lot in such form or manner that it may be transferred off the lot by natural causes or forces.
 4. All refuse containers shall be adequately sized to handle the needs of the facility or development and all material or wastes which might cause fumes or dust, constitute a fire hazard,, or may be edible or otherwise attractive to rodents or insects shall be stored only in completely closed containers.
 5. All outdoor refuse storage areas shall be located in a paved area and hidden from general public view, either from within or outside the lot, by means of fences or walls, and landscape planting. A solid wood or masonry fence at least six (6) feet in height shall be provided on three (3) sides, with a solid opaque gate on the fourth side. Landscaping shall be incorporated to improve the visual appearance.
- D. *Landscaping:* All sites and parking areas shall be landscaped in accordance with the provisions of Sections 148-46, 148-47 and 148-48.
- E. *Automobile and Truck Sales Lots and Leasing Agencies:* Vehicle repair shall only be permitted as an accessory use to automobile and truck sales lots and leasing agencies, except where a special use permit is issued for automobile repair. All incidental repair of vehicles shall be conducted within a building enclosed on all sides.
- F. *Farmer's Markets and Flea Markets:* Where farmer's markets are permitted under the provisions of this Chapter, the following standards shall be required:
1. Adequate water and sanitary facilities shall be provided if found necessary based on the size, frequency and duration of the market.
 2. A minimum twenty-five-foot setback shall be maintained from all property lines, excluding structures and uses in existence prior to July 1, 2001.
 3. No adverse effect on adjoining properties, including, but not limited to, excessive or untimely noise or lighting, overflow parking, or visual problems potentially affecting property values or marketability, is found.

-
4. All tables, facilities and structures shall be maintained in a well-kept and attractive manner.
 5. No manufactured buildings shall be permitted.
 6. Unless otherwise approved as part of a special use permit, all temporary structures or facilities shall be removed during the days that the market is not in operation.
 7. Operation of a Flea Market shall be confined to Friday, Saturday, Sunday, and Holidays, unless other dates are specifically approved by the Town Council in conjunction with the Special Permit. The hours of operation shall be posted on the property.
 8. If a Flea Market or Farmers' Market elects to close during part of the year, or is required to close during part of the year by a condition of a special use permit, all tables and other temporary fixtures shall be removed within two (2) weeks of such closure. Such fixtures may be stored on the site, provided they are located within a completely enclosed building or otherwise screened from public view, in accordance with Section 175-44.A.
 9. All Flea Markets and Farmers' Markets shall be swept clean, hosed down and/or picked clean daily. No food products or debris shall be permitted to remain upon the site overnight. All food products sold at the market must be displayed under sanitary conditions and sold in compliance with all requirements of the Virginia Department of Health or Virginia Department of Agriculture and Consumer Services.
 10. Any expansion, including, but not limited to, new construction, an increase in the days of operation, or other significant changes to the use of the property, shall only be authorized with a special use permit.
 11. Landscaping shall be provided where feasible and desirable for purposes of improvement aesthetics, screening, shade and the natural environment.
 12. Fencing may be required for purposes of improvement aesthetics, screening or public safety.
 13. The sale of live animals is prohibited.
 14. The sale of new merchandise or serving of food, other than farm and domestic products, shall only be authorized if the vendor obtains an itinerant merchant or peddler license, in accordance with the Town Code regulations for such uses.
 15. Farmers' Markets and Flea Markets on public property shall be classified as a public event.
- G. *Mini-warehouses:* Where mini-warehouses are permitted, the following standards shall be required:
1. No exterior storage shall be permitted.
 2. No business activities other than rental of storage units and office use shall be conducted on the premises or within the building, except as specifically approved with the special permit approval. The servicing or repair of motor vehicles, trucks, mobile homes, boats, trailers, lawn mowers, or other similar equipment shall not be conducted on the premises. The operation of a mini-warehouse shall in no way be deemed to include a transfer and storage business where the use of vehicles is part of such business.
 3. When a mini-warehouse is built adjacent to or within one hundred (100) feet of a lot in a residential district without an intervening street, a solid wall or fence at least six (6) feet in height with a finished side facing the residential lot shall be erected between the mini-warehouse and the residential lot. However, the wall or fence shall not be required to extend into the front yard required on the lot on which it is located.
 4. The minimum landscaped open space for a mini-warehouse building shall not be less than .20 times the gross acreage of the lot. Such landscaped open space shall not be open to vehicular traffic, and shall be used to buffer and shield adjacent uses from the mini-warehouse operation. The required

amount of open space may be reduced with the special permit approval for the reuse of an existing building/developed property.

5. The maximum height of the storage section of a mini-warehouse building shall be twenty-five (25) feet.
6. The maximum total storage area in a mini-warehouse building shall be seven thousand five hundred (7,500) square feet.
7. The maximum size of an individual storage unit shall be five hundred (500) square feet.
8. Buildings used in association with mini-warehousing shall be setback at least one hundred fifty (150) feet from the public road.

(Ord. of 1-28-13; Ord. of 6-22-15; Ord. of 10-10-17)

175-45 (RESERVED)

(Ord. of 6-22-15)

WORK SESSION – ITEM 3

2600134 – A ZONING TEXT AMENDMENT TO TOWN CODE §175-3 TO REDEFINE URBAN AGRICULTURE AND AGRICULTURAL PURSUITS; AN AMENDMENT OF THE PERFORMANCE STANDARDS CONTAINED IN TOWN CODE §175-110.5, TO CLARIFY LOT SIZES AND PERMITTED ANIMALS.

1 **175-3 DEFINITIONS**

2 **AGRICULTURE, URBAN (Urban Agriculture)** ~~activities conducted as an accessory~~
3 ~~use on residential lots less than 10 acres, including crop production, gardening,~~
4 ~~horticulture, hydroponics, aquaculture, and limited animal keeping (chickens,~~
5 ~~rabbits, and bees only), subject to tiered acreage regulations and compliance~~
6 with the regulations of Section 175-110.5.

7 **AGRICULTURE/AGRICULTURAL PURSUITS** ~~uses which are conducted on lots larger~~
8 ~~than 10 acres as the primary use including the~~ tilling of soil, the raising of crops,
9 horticulture, aquaculture, hydroponics, forestry, gardening, apiculture, livestock
10 and fowl keeping and breeding, farm wineries, roadside stands, tenant houses
11 necessary for the operation of a farm, and the production of natural products
12 with resources primarily derived from the land upon which it is produced. Yard
13 maintenance, landscaping, noncommercial gardening and other customary
14 incidental accessory uses shall not be deemed as "agriculture." Where agricultural
15 uses are permitted under Chapter 175 of the Town Code, the provisions of
16 Section 66-5 pertaining to slaughtering of stock shall not apply, provided that this
17 exemption only applies to small scale slaughtering activities on a farm, and does
18 not apply to slaughterhouses.

Formatted: Font: Century Gothic

Formatted: Justified, Line spacing: 1.5 lines

Deleted:

Formatted: Font: Century Gothic, Not Bold

Formatted: Numbering: Continuous

Deleted: An umbrella term that describes a range of food growing practices conducted as an accessory use in residential districts that may include the raising of crops, horticulture, aquaculture, hydroponics, forestry, gardening, apiculture, and both livestock and fowl keeping on less than one acre, subject to

Deleted: For the purposes of Urban Agriculture, Livestock does not include hoofed animals or domesticated rabbits kept indoors as family pets.

Deleted: -

Formatted: Font: Century Gothic, Not Bold

Deleted: The

Formatted: Font: Century Gothic

Formatted: Font: Century Gothic

Formatted: Font: Century Gothic

Formatted: Font: Century Gothic

Deleted: Agricultural pursuits are permitted only on lots larger than 10 acres.

Section 175-110.5. Urban Agriculture Standards

Deleted: ¶

Urban agriculture involving animals shall be permitted only on lots occupied by a single-family dwelling. It is restricted and categorized to form a compromise between urban residential character and small-scale Urban Agriculture. It provides for a two-tier system with a graduated scale of animals allowed for those lots consisting of 5 acres or more. Lots 10 acres or greater are considered Agricultural and not impacted by this regulation.

Only bees, chickens and rabbits are permitted. All other livestock (cows, ducks, geese, horses, pigs, sheep, goats, llamas, alpacas, emus, ostriches, etc.) shall not be allowed on lots less than 10 acres.

Summary Table

Formatted: Font: Century Gothic, 12 pt

Category	Tier 1 (<5 acres)	Tier 2 (≥5 & <10 acres)	Notes / Exceptions
Chickens (hens only)	Up to 6	Base 6 + 6 per additional acre (e.g., 5 acres = 12 hens, 6 acres = 18 hens)	Roosters allowed: 1 per 5 acres, +1 per 2 additional acres; min 10 hens per rooster
Rabbits (outdoor, for meat purposes)	Up to 6	Base 6 + 6 per additional acre (e.g., 5 acres = 12 rabbits, 6 acres = 18 rabbits)	Indoor pet rabbits not counted; temporary exceedance for breeding allowed ≤12 weeks; max 2× allowed number
Bee Hives	Up to 6	Base 6 + 6 per additional acre (e.g., 5 acres = 12 hives, 6 acres = 18 hives)	Hives fenced ≥4 ft; sign 2–4 sq ft; setbacks 10 ft (≤6 hives), 50 ft (>6 hives); honey harvested indoors
Setbacks	10 ft from side/rear property lines	50 ft from side/rear property lines	Zoning Administrator may impose additional setbacks based on management plan
Housing & Care	Chickens: coop/run; Rabbits: hutch	Chickens: coop/run; Rabbits: hutch	ft/chicken, 24 sq ft/rabbit; clean, ventilated, sanitary; feed in rodent-proof containers
Zoning Permit	Required	Required	biosecurity, maintenance); 1-year term, renewable; may be revoked for violations
Temporary Breeding Exception	Up to 12 weeks	Up to 12 weeks	Animals must be reduced to allowed number afterward; absolute cap = 2× allowed number. Logs must be maintained and provided for inspection
Sale of Agricultural Products	Not permitted	Not permitted	require zoning approval
Commercial / Industrial Uses	Not permitted	Not permitted	Exception: schools may keep animals

Formatted: Font: Century Gothic

Formatted: Font: Century Gothic

A. AGRICULTURE – TIERED CLASSIFICATION

1. Tier 1 Agriculture (Lots less than 5 Acres)

a. Gardening and horticulture

- b. Crop production
- c. Hydroponics or aquaculture
- d. Apiculture (beekeeping) of 3 hives or less
- e. Keeping of chickens (hens) with no roosters allowed
- f. Keeping of up to 6 domestic rabbits
 - 1. Domesticated rabbits kept indoors as household pets are not considered livestock.
- g. All Tier 1 agriculture shall comply with Section 175-110.5 Performance Standards.

2. Tier 2 Agriculture (Lots at least 5 acres and less than 10 Acres)

- a. Tier 2 lots include;
 - 1. Crop production and horticulture
 - 2. Aquaculture and hydroponics
 - 3. Apiculture
 - 4. Domestic Chickens including Roosters as per standards in Section 175-110.5, Performance Standards
 - 5. Domestic Rabbits as per standards in Section 175-110.5, Performance Standards.
 - 6. Small-scale agricultural production

Yard maintenance, landscaping, and customary residential gardening shall not be considered agriculture.

Where agricultural uses are permitted under this Chapter, the provisions of Section 66-5 regarding slaughtering of stock shall not apply to small-scale slaughtering activities on a farm, but this exemption does not apply to slaughterhouses.

175-110.5 PERFORMANCE STANDARDS FOR URBAN AGRICULTURE

Urban agricultural uses shall comply with the following standards according to acreage tier and definitions.

A. General Requirements (Tiers 1 and 2)

1. A zoning permit shall be required for the keeping of animals associated with urban agriculture when located on a lot less than ten (10) acres. Such a zoning permit application shall include a management plan that adequately addresses waste disposal, site suitability, setbacks, animal density, biosecurity and health measures, odor control, noise control, appearance, and maintenance.

The management plan shall be reviewed by the Virginia Cooperative Extension Office, or other qualified expert, nonprofit organization or government entity.

Conditions of approval or recommendations may be required as part of the zoning permit.

The zoning permit shall only be valid for one (1) year and may be renewed annually provided that the use remains in compliance with the management plan and otherwise remains lawful. The Zoning Administrator may impose conditions of approval based on the review.

2. Animals shall only be kept in rear yards.

3. Any permit may be revoked by the Zoning Administrator if the use:

Deleted: not be kept in front yards or corner side yards on corner lots less than 5 acres

104 a. Deviates from the approved management plan

105 b. Violates the Town Code

106 c. Creates noise or nuisance violations

107 d. Expands without authorization

108
109 **B. Tier 1 Standards (Lots less than 5 acres)**

110 1. Single-family dwellings may keep:

111 a. Up to six (6) female chickens (hens only, no roosters)

112 b. Up to six (6) bee hives

113 c. Up to six (6) rabbits kept outdoors for meat purposes

114 2. Setbacks

115 a. Coops, hutches and hives must be at least 10 feet from side and rear
116 property lines.

117 b. Additional setbacks may be required by the Zoning Administrator if
118 recommended as part of the submitted management plan or review
119 agency recommendation.

120 **C. Tier 2 Standards (Lots at least 5 Acres and Less than 10 Acres)**

121 1. Single-family dwellings may keep:

122 a. In addition to the base allowance of six (6) female chickens (hens)
123 permitted in Tier 1, properties that consist of five (5) acres may keep up to
124 twelve (12) hens. For properties larger than five (5) acres, six (6) additional
125 hens are permitted for each additional acre (e.g., 5 acres = 12 hens; 6 acres
126 = 18 hens; 7 acres = 24 hens, etc.).

- b. For a 5-acre parcel, 1 rooster is allowed. Properties larger than five acres, one extra rooster is allowed for every additional two acres (e.g., 5 acres may have 1 rooster, seven acres may have two roosters; nine or ten acres may have three roosters). For properties with roosters a minimum of 10 hens per rooster is required.
- c. In addition to the base allowance of six (6) bee hives permitted in Tier 1, properties that consist of five (5) acres may keep up to twelve (12) bee hives. For properties larger than five (5) acres, six (6) additional bee hives are permitted for each additional acre (e.g., 5 acres = 12 bee hives; 6 acres = 18 bee hives; 7 acres = 24 bee hives, etc.).
- d. In addition to the base allowance of six (6) rabbits permitted in Tier 1, properties that consist of five (5) acres may keep up to twelve (12) rabbits. For properties larger than five (5) acres, six (6) additional rabbits are permitted for each additional acre (e.g., 5 acres = 12 rabbits; 6 acres = 18 rabbits; 7 acres = 24 rabbits, etc.). Additional conditions may be imposed based on management plan review.

2. Setbacks

- a. Coops, hutches and hives must be at least 50 feet from side and rear property lines.
- b. Additional setbacks may be required by the Zoning Administrator if recommended as part of the submitted management plan or review agency recommendation.

D. Chicken and Rabbit Housing Requirements

1. Chickens must be confined to a coop and/or run, and rabbits confined to a hutch at all times. No poultry shall be permitted to run at large.

Formatted: Justified, Indent: Left: 0.25", Line spacing: 1.5 lines

Formatted: Justified, Line spacing: 1.5 lines

2. The coop must be used for chickens only and the hutch for rabbits only, and both must be well ventilated.
3. Coops and hutches must be at least 18 inches in height.
4. Minimum 4 square feet of floor area per chicken and 8 square feet per rabbit.
5. Chicken runs must provide 8 square feet per chicken and 24 square feet per rabbit.
6. Runs must be well drained with no accumulation of water.
7. The coop or hutch or hutch shall be kept clean, sanitary, and free from accumulation of animal excrement and objectionable odors. The floor and walls of the coop must be kept in a clean, sanitary and healthful condition, with all dropping and organic waste material removed and disposed of in a proper manner.
8. Notwithstanding the maximum number of rabbits or chickens otherwise permitted, the number of rabbits or chickens (where roosters are allowed) may be temporarily exceeded as a result of breeding. Any such increase shall not exceed twelve (12) weeks from the date of birth of the litter or chicks, after which the total number of animals on the premises must be reduced to comply with the maximum permitted. In no case shall the number of animals exceed twice the number otherwise allowed based on acreage.
9. Any owner or keeper of chickens or rabbits who intends to breed animals under this section shall maintain accurate records, including: (i) breeding logs indicating the dates of birth of litters or chicks, (ii) animal counts, including any temporary increases permitted in this performance standard. Such records shall be made available for inspection by the Zoning Administrator or other authorized official upon request and shall be used to verify compliance with the limits and standards of this ordinance.

10. All feed or other material intended for consumption by chickens or rabbits shall be kept in containers impenetrable by rats or other rodents, and such containers shall be equipped with tightly fitting caps or lids. The presence of rats in an area used for the keeping of fowl shall be prima facie evidence that such area is maintained in violation of this section.

E. Beekeeping Standards

- a. Only the Western honeybee (*Apis mellifera*) – the primary species for U.S. honey production and common subspecies are allowed:
 1. Italian honeybee (*Apis mellifera ligustica*)
 2. Carniolan honeybee (*Apis mellifera carnica*)
 3. Buckfast hybrid bees
 4. Russian honeybee (*Apis mellifera caucasica* Hybrid)
- b. Bee hives shall be set back at least 10 feet from side and rear property lines. Properties with more than 6 hives must be at least 50 feet from side and rear property lines.
- c. Hives shall be enclosed by a fence at least 4 feet in height.
- d. A sign between two (2) and four (4) square feet shall be posted indicating bees are present.
- e. Honey harvesting must occur within an enclosed building.

F. Sale of Agricultural Products

The sale of goods or services related to agricultural activity is not permitted on site.

This restriction does not prohibit:

a. Incidental sharing or trading with neighbors, family, or friends

b. Selling produce off-site at markets or similar venues

G. Commercial and industrial Uses

a. Excluding schools, commercial and industry use shall not keep livestock, fowl, rabbits, or bees as part of urban agriculture.

Formatted: Justified, Indent: Left: 0.25", Line spacing: 1.5 lines

H. Applicability

These requirements are in addition to all other provisions of the Town Code.

Formatted: Justified, Line spacing: 1.5 lines

WORK SESSION – ITEM 4

**ZONING ORDINANCE DRAFT
REVIEW I-2 ZONING DISTRICT AND DEFINITIONS.**

Light Industrial Manufacturing (Uses, Operations)– The indoor processing, fabrication, assembly, treatment, or packaging of materials, goods, or products that produces negligible off-site impacts, (meaning impacts that are not perceptible beyond the property line under normal conditions, do not exceed applicable local, state, or federal environmental or health standards, and do not materially interfere with the use and enjoyment of neighboring properties). Activities shall not generate noise, vibration, smoke, dust, odors, heat, glare, or hazardous emissions detectable beyond the property boundary. Operations are limited to small-scale production or assembly, use of light machinery only, and no bulk storage of hazardous materials. Truck traffic shall be restricted to delivery vans or small commercial vehicles. Typical examples include electronics assembly, apparel manufacturing, small-scale food production (excluding rendering or heavy processing), printing, and research and development facilities.

Medium Industrial Manufacturing (Uses, Operations)– The processing, fabrication, assembly, or treatment of materials and products that may involve heavier equipment, moderate truck traffic, or limited outdoor storage, and may generate measurable but controlled levels of noise, vibration, odors, dust, or emissions. All impacts must remain within applicable regulatory standards and not create a nuisance beyond the property line (Significantly interferes with the comfortable enjoyment, occupancy, or use of adjacent properties). Typical characteristics include: Use of industrial machinery, Regular freight truck activity, Possible outdoor storage screened from public view, Limited processing of raw materials. Examples may include metal fabrication, commercial bakeries, woodworking shops, plastics manufacturing, beverage production, and equipment manufacturing.

Heavy Industrial Manufacturing (Uses, Operations)– The processing, refining, smelting, assembly, or treatment of raw materials or products that typically involves large-scale operations, significant mechanical or chemical processes, substantial truck or rail traffic, outdoor storage of materials, or the use of hazardous materials. These uses may generate higher levels of noise, vibration, smoke, dust, odors, glare, heat, or emissions and therefore require separation from sensitive land uses. Typical characteristics include: Large industrial structures or complexes, Outdoor processing and storage, Bulk handling of raw materials, Rail spurs or high-volume freight traffic, Use or production of hazardous or flammable materials. Examples may include petroleum refining, steel production, chemical manufacturing, pulp and paper mills, concrete batch plants, and large-scale food processing plants.

Incidental - A use, structure, or activity that is clearly subordinate, minor in scale, and secondary to the principal use of a property. The activity cannot compete with or overshadow the main use of the property and not exceed the intensity, area, or operational impact of the principal. The use does not function independently or become the primary use of the property.

Amusement Park - (Theme Parks or Family Entertainment Centers) – A facility, primarily outdoors, consisting of structures and buildings that provide a variety of entertainment activities. Such activities may include mechanical or electronic rides, amusement devices, games of skill or chance, and attractions, including small-scale motorized recreational vehicles such as go-karts or similar low-speed vehicles, provided that such vehicles are operated solely on a defined, enclosed track or course designed for that purpose. The facility may also include accessory uses such as booths for games or retail sales, food and beverage service, indoor or outdoor performance spaces, and buildings for shows, entertainment, restaurants, and souvenir sales.

Recreational Facilities – A site, building, or area designed and equipped for the conduct of sports, fitness, or leisure activities, whether conducted indoors or outdoors. Such facilities may include, but are not limited to, playgrounds, athletic fields and courts, gyms, swimming pools, and similar uses. This term may include both public and private facilities, whether operated for profit or not-for-profit.

Examples of Each Type of Manufacturing

Heavy Manufacturing

Heavy manufacturing involves large-scale production, heavy machinery, high energy use, and large raw materials like metals or chemicals.

Examples:

- Steel production
- Automobile machinery manufacturing
- Shipbuilding
- Aircraft manufacturing
- Oil refining / petrochemicals
- Heavy machinery manufacturing

Characteristics

- Large to Massive factories
- Very expensive equipment

- Large raw materials (steel, chemicals)
- High energy and/or water consumption

Medium Manufacturing

Medium manufacturing uses moderate-sized equipment and materials. Products are usually assembled from components rather than massive raw materials.

Examples:

- Appliance manufacturing
- Furniture manufacturing
- Electronics production and assembly
- Electrical and power equipment manufacture
- Packaging equipment manufacturing
- Plastic products manufacturing

Characteristics

- Moderate factory size
- Mix of automated and manual processes
- Moderate capital investment

Light Manufacturing

Light manufacturing focuses on small consumer goods with lower energy use and lighter materials.

Examples:

- Clothing and textile manufacturing
- Food processing
- Toy manufacturing
- Cosmetics production
- Small electronics or accessories

Characteristics

- Smaller machinery
- Lower raw material weight
- Often labor-intensive

Type	Typical Products	Capital Required	Scale
Heavy	Steel, ships, airplanes	Very high	Large Plants
Medium	Appliances, furniture, electronics	Moderate	Medium factories
Light	Clothing, food, toys	Lower	Smaller facilities

DIVISION 6.13 - LIMITED INDUSTRIAL DISTRICT (I-1)

Section 6.13.1 - STATEMENT OF INTENT (I-1) (175-54)

The I-1 Limited Industrial District is intended to establish appropriate areas within the Town for Light Industrial and selected Medium Industrial manufacturing, technology, and employment-and tourism-related uses, while prohibiting residential development. The district is designed to encourage the development of well-planned industrial parks and to ensure that industrial operations are conducted in a manner that minimizes adverse impacts on adjoining properties. To this end, the district provides performance standards, controls, and regulations governing industrial and employment uses and structures, consistent with the purposes of this Article and the goals and policies of the Front Royal Comprehensive Plan.

Deleted: small-scale

Deleted: advanced

Section 6.13.2 - USES PERMITTED BY RIGHT (I-1) (175-55)

- A. Light industrial uses shall be permitted by right within the LI District.
 - 1. Uses consist of lower-intensity industrial operations that involve the manufacturing, processing, assembly, packaging, storage, or distribution of goods using relatively small-scale equipment and controlled production processes. These activities are generally conducted within enclosed buildings and involve limited outdoor operations.
 - 2. Light industrial activities typically generate low levels of noise, vibration, dust, odor, glare, and emissions, and produce limited heavy vehicle traffic. Materials handled are generally finished or semi-finished products rather than bulk raw materials. Operations are characterized by clean, controlled production environments with minimal off-site impacts and limited storage or processing occurring outdoors.

Section 6.13.3 - MISCELLANEOUS ALLOWED USES:

Accessory uses, structures and buildings.

Open Space

Public facilities.

Public parks and playgrounds.

Public utilities.

Signs, as set forth in **Article 10**

Special childcare services.

Such other uses as determined similar to one or more enumerated uses by the Zoning Administrator.

Formatted: Indent: Left: 0.5"

Deleted: Home occupations.¶

Section 6.13.4 - USES PERMITTED BY SPECIAL USE PERMIT (I-1) (175-56)

A. Medium industrial uses may be permitted within the I1 zoning district subject to approval of a Special Use Permit. Such uses are intended to complement, not conflict with, the primary purpose of the I1 area, which is to support light industrial activities. Accordingly, any approved medium industrial use shall be designed, operated, and maintained in a manner that does not create adverse impacts on surrounding light industrial uses, including but not limited to excessive noise, traffic, emissions, or other operational characteristics that could interfere with the function and viability of permitted light industrial activities.

1. Medium industrial uses that consist of moderate-intensity industrial operations that involve larger equipment, heavier materials, or greater volumes of production than light industrial activities. These operations may involve regular freight movement, outdoor service areas, material storage, or mechanical processes associated with manufacturing, fabrication, or processing activities.
2. Medium industrial operations may generate noticeable levels of noise, vibration, truck traffic, or other operational effects, but such impacts are generally typical within industrial environments and can be reasonably managed through site layout, building placement, screening, and operational practices. Activities in this category often involve larger facilities, more substantial infrastructure, and higher levels of material handling than light industrial uses.

Section 6.1.5 MISCELLANEOUS ALLOWED USES:

Any use permitted under Section 6.13.4, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of Section 6.13.4, subject to the requirements of Division 5.1. Additional heights approved by a special use permit shall be required to increase the required setback and yard area requirements by an equivalent distance from each property line.

Amusement Parks

Communications Towers and cable television facilities, with wireless telephone (cell phone) communications tower subject to the supplemental provisions prescribed in Division 9.10

Conservation Areas

Mini-warehouses

Parking Structures

Recreational Facilities

Section 6.13.6 - AREA REGULATIONS (I-1) (175-57)

The minimum lot area shall be ten thousand (10,000) square feet.

Deleted: ¶

The following uses are permitted within the I-1 District only by approval of a special use permit,

The following uses are permitted within the I-1 District only by

Deleted: The following uses are permitted within the I-1 approval of a special use permit,

Deleted: except as prohibited or restricted by separate restrictions of record that may pertain to property within the I-1 District:

Deleted: ¶

Commented [ECR1]: Needs definition

Deleted: ¶

Commented [ECR2]: Needs definition

Deleted: 4

Section 6.13.7 - SETBACK (I-1) (175-58)

Buildings shall be located twenty (20) feet or more from any street right-of-way which is fifty (50) feet or greater in width or forty-five (45) feet or more from the center line of any street right-of-way less than fifty (50) feet in width.

The Zoning Administrator may approve a setback reduction of up to 50% when the adjoining district is industrial.

Deleted: 5

Section 6.13.8 - FRONTAGE AND YARDS (I-1) (175-59)

A. The minimum lot width shall be sixty (60) feet.

B. Each side and rear yard shall be a minimum of ten (10) feet. The side and rear yard adjoining or adjacent to a residential district shall be forty (40) feet.

Deleted: ¶

Deleted: 6

Formatted: Font: (Default) +Headings (Calibri Light), 12 pt

Formatted: Normal, Justified

Formatted: Font: 12 pt

Section 6.13.9 - HEIGHT (I-1) (175-60)

Buildings may be erected up to a height of forty-five (45) feet. Chimneys, flues, cooling towers, flagpoles, radio or communication towers or their accessory facilities not normally occupied by workmen are excluded from this limitation. Parapet walls are permitted up to four (4) feet above the height of the building on which the walls rest. A waiver to the height requirement may be obtained by application and approval by Special Use Permit (SUP).

Deleted: 7

Section 6.13.10 - LOT COVERAGE (I-1) (175-61)

Buildings or groups of buildings with their accessory structures may cover up to seventy percent (70%) of the area of the lot.

Deleted: 8

Section 6.13.11 - CORNER LOTS (I-1) (175-62)

A. Of the two (2) or more yards of a corner lot with frontage along multiple streets, the front yard shall be established by the following criteria:

Deleted: 9

1. For new subdivision applications, the front yard shall be identified by the applicant on the subdivision site plan and approved by the Town on the approved final plat.
2. For new construction on existing corner lots where no front yard is designated on the approved final plat, the property owner shall determine the front yard on the Zoning Permit application and shall be approved by the Town on the approved Zoning Permit.
3. For existing structures, the front yard shall be the yard with frontage that the front façade of the primary building faces.
4. The approved front yard established by this Code Section shall only be changed by review and approval of a revised final plat approved by the Planning Commission. Such future requests shall be approved if the Planning Commission determines that the proposed front yard is consistent with other properties along the same street frontages.

Formatted: Font: 12 pt

B. The side yard setback on the side facing a side street shall be twenty (20) feet or more for main buildings, and twenty (20) feet or more for accessory buildings.

C. Each corner lot shall have a minimum width at the setback line of one hundred (100) feet.

D. The rear yard setback if facing a street shall be fifty (50) feet or more for both main and accessory buildings.

Section 6.13.12 – PERFORMANCE STANDARDS (I-1)

The following performance standards shall apply to all uses within the I-1 Industrial District however, the need for initial (baseline) testing will be assessed on a case-by-case basis, with staff exercising discretion in accordance with business type:

A. Vibration:

1. Ground-borne vibration shall not exceed 0.02 inches per second peak particle velocity (PPV) at the property line when adjoining residential districts.
2. Vibrations from temporary construction activities and vehicles entering or leaving the property (such as trucks or rail cars) are excluded. Vibrations from on-site equipment or vehicles operating primarily on-site are included.
3. Vibrations occurring for no more than five (5) minutes in any one (1) day between the hours of 7:00 a.m. and 7:00 p.m. shall not be deemed continuous or frequent.

B. Glare:

Any operation or activity producing glare or intense light shall be conducted so as not to create a glare effect visible from any adjoining property or public street. All direct illumination shall be shielded and arranged to prevent light trespass beyond the lot lines.

C. Heat:

1. Heat generated by an industrial use shall not cause a temperature increase on any adjacent property in excess of five degrees Fahrenheit (5°F).
2. Heat from an industrial use shall not cause a temperature increase in any stream, wetland, lake, or other body of water at or beyond the property line that would adversely affect aquatic life.

D. Liquid or Solid Wastes:

1. No use shall discharge liquid or solid waste into any public sewer, private sewage system, public waters, or onto the ground except in full compliance with applicable federal, state, and local regulations.
2. Outdoor storage of solid waste shall be prohibited except in covered, leak-proof containers and shall not create conditions conducive to the breeding of rodents or insects.
3. All discharges into any public sewer shall comply with the provisions of Section 134-2, et seq.

E. Smoke and Particulate Matter:

Deleted: ¶

Formatted: Font: (Default) Times New Roman, 12 pt, Not Bold

Formatted: Font: (Default) Times New Roman, 12 pt, Not Bold

Formatted: Font: (Default) Times New Roman, 12 pt

Deleted: :

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt, Not Bold

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt, Not Bold

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt, Not Bold

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt, Not Bold

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt, Not Bold

Formatted: Font: (Default) Times New Roman, 12 pt

1. All operations, including open storage and material handling, shall be conducted so that dust, smoke, or particulate matter is not emitted in visible quantities beyond the property line.
2. All uses shall comply with applicable state and federal air pollution control regulations.

F. Toxic and Hazardous Materials;

1. The storage and use of toxic or hazardous materials shall comply with all applicable federal, state, and local laws and shall be reported to the Fire Department as required for emergency response planning.
2. Activities involving the storage or use of materials subject to detonation or explosion shall not be permitted unless specifically authorized and conducted in full compliance with applicable regulations.
3. The manufacture of explosives shall be prohibited in the I-1 District.

G. Odor;

1. Odor emissions shall not exceed detectable levels beyond the property line as measured using ASTM E544 or equivalent field olfactometry standards.
2. An odor evident no more than once in any one (1) day for a period not exceeding five (5) minutes shall not be deemed continuous or frequent.

H. Noise;

1. No use shall generate noise that exceeds sixty-five (65) dB(A) at any property line adjoining a nonindustrial district between the hours of 7:00 a.m. and 7:00 p.m., or fifty-five (55) dB(A) between 7:00 p.m. and 7:00 a.m.
2. Where technical evidence of violation is warranted, sound levels shall be measured at locations specified in Section 6.13.9 using a sound level meter manufactured in accordance with standards of the American Standards Association, using the A and/or C weighted scale as determined by expected noise band violation.
3. Noise resulting from temporary construction, repair, remodeling, demolition, grading, or utility installation activities shall be exempt from the industrial noise limits of this Section, provided that:
 - a. Such activities occur only between 7:00 a.m. and 7:00 p.m., Monday through Saturday;
 - b. Noise levels do not exceed 85 dBA at the property line;
 - c. Equipment is maintained in good working order and equipped with manufacturer-recommended mufflers; and
 - d. Construction activity exceeding thirty (30) consecutive days at the same site shall comply with the standard industrial noise limits unless extended by the Zoning Administrator for good cause.

Formatted: Font: (Default) Times New Roman, 12 pt, Not Bold

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt, Not Bold

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt, Not Bold

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: List Paragraph

4. The zoning authority may require compliance testing where industrial activities produce continuous, intermittent, impulsive, or tonal noise using the table below.

<u>Octave Band Cycles Per Second</u>	<u>Maximum Permitted Sound Level in dB(A)</u>	<u>Maximum Permitted Sound Level in dB(C)</u>
0 to 75	67	82
75 to 150	62	74
150 to 300	55	62
300 to 600	48	51
600 to 1200	43	44
1200 to 2400	38	34
2400 to 4800	35	34
Above 4800	32	32

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt, Not Bold

Formatted: Font: (Default) Times New Roman, 12 pt, Not Bold

Formatted: Font: (Default) Times New Roman, 12 pt

Section 6.13.13 – LOCATIONS FOR DETERMINATION OF PERFORMANCE STANDARDS (I-1)

Measurements to determine compliance with performance standards shall be made at ground level or at habitable levels of buildings and at the property boundary of the parcel where the use is located. Where the property abuts a residential district, measurements shall be taken at the shared boundary line.

Deleted: Section 6.13.15 – ADMINISTRATION AND ENFORCEMENT OF PERFORMANCE STANDARDS (I-1)¶
A. Prior to the issuance of a zoning permit for any use in this district, development plans shall be submitted to the Zoning Administrator for review. Plans shall provide sufficient detail to demonstrate compliance with this chapter and the applicable performance standards.¶

B. Determinations of violation may be made based on observation by the Zoning Administrator (or designee) and use of appropriate measurement equipment. The operator shall receive written notice of the time and place of any scheduled testing and shall be afforded an opportunity to witness the test.

Deleted: C. Upon determination of a violation, written notice shall be provided to the landowner and/or tenant describing the nature of the violation and corrective measures required. A determination of violation may be appealed to the Board of Zoning Appeals in accordance with the procedures established in this Ordinance.¶
D. If corrective action is not initiated within two (2) weeks of written notice, the Zoning Administrator may take such action as authorized by this Ordinance to secure compliance. Violations shall be subject to penalties as provided by law.¶

Deleted: 0

Deleted: A. Before a building Zoning permit shall be issued or construction commenced on any permitted use in this district or a permit issued for a new use, the plans, in sufficient detail to show compliance with substantive provisions of this chapter and the operations and processes, shall be submitted to the Zoning Administrator for study. The Administrator shall refer these plans to the Planning Commission for its recommendation. Plans must comply with current written town standards. Modification of the plans may be required. Such plans shall be drawn in accordance with Sections 175-116 and 175-117.

Deleted: ¶

Section 6.13.14 - PLANS REQUIRED; ADDITIONAL REQUIREMENTS (I-1) (175-63)

B. Except where otherwise specifically approved in the Town Code, permitted uses shall be conducted wholly within a completely enclosed building.

C. Outdoor storage, outdoor display or outdoor sale of goods shall only be permitted when each of the following standards are met.

1. Except where otherwise specifically approved, permitted uses shall be conducted wholly within a completely enclosed building.

2. Outdoor storage, display, or sale of goods shall be incidental to the primary use and shall not exceed ten percent (25%) of the gross floor area of the principal structure.

3. All outdoor storage areas shall be screened from view from any public street and any adjacent residential district by a solid masonry wall, uniformly painted solid fence, landscaped berm, or dense evergreen plantings at least six (6) feet in height at the time of planting.

4. All sites and parking areas shall be landscaped in accordance with applicable provisions of this chapter.

3. The following types of outdoor display and/or outdoor sales shall be exempt from the screening requirements,

a. Motor vehicles.

b. Power operated machines designed for outdoor labor, such as farming, construction or lawn maintenance, as well as large equipment, products, and materials designed to be kept outdoors. Plants and other landscaping products typically sold with plants.

c. Temporary or seasonal activities, such as but not limited to, peddlers and itinerant merchants that have obtained approval from the Town.

d. Pre-manufactured buildings.

e. Vending machines.

f. General products, goods, merchandise, and/or materials, provided that (i) no more than 200 square feet of area is used, and (ii) outdoor display and/or sales are restricted from the evening and night hours from 8PM to 5AM, except that general products, goods, merchandise, and/or materials may be kept outdoors if located under a roofed structure.

D. Landscaping plans and execution must take into consideration traffic circulation, and may permit landscaping up to a height of three (3) feet and to within fifty (50) feet from the corner of any intersecting streets.

E. Sufficient area shall be provided to adequately screen permitted uses from adjacent business and residential districts and for off-street parking, which shall be in accordance with the provisions set forth in Section 9.11.2

F. Parking and loading requirements may be reduced or waived where evidence demonstrates lower demand (e.g., high-tech manufacturing with fewer truck trips).

G. Shared parking between multiple industrial tenants is permitted if total parking meets the minimum parking for all tenants.

H. The Administrator shall act on any application received within thirty (30) days after receiving the application. If formal notice in writing is given to the applicant, the time for action may be

Deleted: <#>No outdoor storage shall be permitted within any required yard abutting a residential district.¶

Deleted: 1. Outdoor storage, outdoor display, or outdoor sale of goods shall be used in direct association with the primary use or uses of the property.¶

2. Outdoor storage, outdoor display and/or outdoor sales shall be screened to obstruct view from any adjacent public street. A screen may consist of a building, solid masonry wall, uniformly painted solid board fence or landscaping. The height of the screening shall be 6' feet unless an alternative height is approved by the Planning Commission during the review of a site plan.¶

Deleted: ¶

Deleted: of Section 6.13.10.C.2

Deleted: The Planning Commission may require landscaping within any established or required front setback area. The plans and execution must take into consideration traffic circulation.

Deleted: be permitted

Deleted: ¶

Deleted: F

extended for a thirty-day period. Failure on the part of the Administrator to act on the application within the established time limit shall be deemed to constitute approval of the application.

DIVISION 6.14 - INDUSTRIAL EMPLOYMENT DISTRICT (I-2)

Deleted: 4

Section 6.14.1 - STATEMENT OF INTENT (I-2) (175-64)

The I-2 General Industrial District is intended to accommodate a full range of industrial activities, including light, medium, and heavy operations, while ensuring that higher-intensity industrial activities are appropriately sited and regulated to avoid undue impacts within the district.

Section 6.14.2 - USE REGULATIONS (I-2) (175-65)

The I-2 Industrial Employment District is intended to provide for the establishment of industrial and employment uses and structures in appropriate locations within the Town, while ensuring that such uses are conducted in a manner that protects surrounding areas. The district is designed to prevent the use of land or structures in ways that could create dangerous, injurious, noxious, or otherwise objectionable conditions, including but not limited to risks of fire, explosion, radioactivity, excessive noise or vibration, air pollution, glare, heat, electrical disturbance, or the improper handling of liquid or solid waste. To achieve these objectives, the district establishes controls and performance standards governing industrial and employment uses and structures, consistent with the purposes of this Article and the Front Royal Comprehensive Plan.

Section 6.14.3 - USES PERMITTED BY RIGHT (I-2)

A. Light industrial uses shall be permitted by right within the I-2 District.

Deleted: L

1. Uses consist of lower-intensity industrial operations that involve the manufacturing, processing, assembly, packaging, storage, or distribution of goods using relatively small-scale equipment and controlled production processes. These activities are generally conducted within enclosed buildings and involve limited outdoor operations.
2. Light industrial activities typically generate low levels of noise, vibration, dust, odor, glare, and emissions, and produce limited heavy vehicle traffic. Materials handled are generally finished or semi-finished products rather than bulk raw materials. Operations are characterized by clean, controlled production environments with minimal off-site impacts and limited storage or processing occurring outdoors.

SECTION 6.14.4. - MISCELLANEOUS ALLOWED USES:

Accessory uses, structures and buildings

Open Space

Deleted: Home occupations¶

Public facilities.

Public utilities

Deleted: Public parks and playgrounds¶

Signs, as set forth in Article 10

Uses determined by the Zoning Administrator to be substantially similar in character, intensity, and impact to a permitted use.

Section 6.14.5 - USE PERMITTED BY SPECIAL USE PERMIT (I-2)

The following uses are permitted within the I-2 District only by approval of a special use permit, except as prohibited or restricted by separate restrictions of record that may pertain to property within the I-2 District:

a. Medium Industrial Uses

Medium industrial uses that consist of moderate-intensity industrial operations that may involve larger equipment, heavier materials, higher production volumes, or substantial material handling. These activities may generate noticeable noise, vibration, truck traffic, outdoor processing, or other operational impacts typical of industrial environments. Medium industrial uses may only be approved by special use permit after demonstrating compliance with mitigation measures, site design, and operational controls sufficient to manage potential impacts on surrounding industrial activities and transportation infrastructure.

B. Heavy Industrial Uses

Heavy industrial uses that consist of high-intensity industrial operations involving large-scale manufacturing, processing, refining, or material handling. These operations often require extensive infrastructure, specialized equipment, continuous production processes, or large outdoor storage areas. Heavy industrial uses may generate substantial noise, vibration, emissions, truck traffic, or outdoor operations. Such uses are permitted only by special use permit, with approval contingent upon demonstrating that impacts are appropriately mitigated, access and infrastructure are adequate, and the site is suited for high-intensity industrial activity.

SECTION 6.14.6 - MISCELLANEOUS:

Any use permitted use under this subsection, that proposes to occupy a building or structure that exceeds the height requirements are subject to the requirements of Division 5.1 (Special Use Permit). Additional heights approved by a special use permit shall be required to increase the required setback and yard area requirements by an equivalent distance from each property line and by a compatibility analysis as determined by zoning administrator as required.

Communications Towers and cable television facilities, with wireless telephone (cell phone) communications tower subject to the supplemental provisions, prescribed in Division 9.10.

Conservation Areas

Mini-warehouses

Parking Structures

Section 6.14.7 - AREA REGULATIONS (I-2) (175-66)

A. Minimum lot size: twenty thousand (20,000) square feet.

Deleted: Special childcare services¶

Deleted: Such other uses as determined similar to one or more enumerated uses by the Zoning Administrator¶

Formatted: Font: 12 pt

Formatted: Font: (Default) +Body (Calibri), Font color: Auto

Deleted: i

Deleted: u

Deleted: under Division 5.1.,

Deleted: of Division 5.1.

Formatted: Font color: Auto, Not Highlight

Deleted: .

Formatted: Font color: Auto

Deleted: Division 9.10.

Deleted: 4

B. Minimum lot width: eighty (80) feet.

C. Minimum district size: ten (10) acres.

Section 6.14.8 - MAXIMUM HEIGHT OF BUILDINGS (I-2) (175-67)

A. All buildings/structures: seventy-five (75) feet, except as provided in **Section 6.14.9**.

Deleted: 5

Deleted: 1

B. Exemptions to height requirements:

1. Chimneys and flues.
2. Cooling towers.
3. Flagpoles.
4. Radio and communications towers.
5. Parapet walls up to four (4) feet above the height of the building on which the wall rests.
6. Water towers.
7. Elevator towers.

Section 6.14.9 - FRONTAGE AND YARDS (I-2) (175-68)

A. All structures:

1. Front: twenty-five (25) feet.
2. Side: ten (10) feet.
3. Rear: ten (10).
4. Corner side: twenty-five (25) feet.

Deleted: 6

Deleted: -

Deleted: MINIMUM YARD DIMENSIONS

Deleted: zero

Deleted: 0

B. Transitional requirements, when adjoining a residential district

1. Side: forty (40) feet.
2. Rear: forty (40) feet.

1. Transitional yards shall be landscaped in accordance with the provisions of Landscape Preservation and Planting Guide

Formatted: Font: (Default) Times New Roman, 12 pt, Font color: Accent 1

Formatted: List Paragraph, Indent: Left: 0.25", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1" + Indent at: 1.25"

Section 6.14.10 - LOT COVERAGE (I-2) (175-69)

A. Buildings or groups of buildings with their accessory structures may cover up to seventy percent (70%) of the area of the lot.

Deleted: All transitional yards shall be landscaped in accordance with **Section 148-44**

Deleted: 7

Formatted: Indent: Left: 0", Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Font: (Default) +Body (Calibri), Font color: Auto

Formatted: Normal

Section 6.14. 11 - PERFORMANCE STANDARDS (I-2) (175-70)

The following performance standards shall apply to all uses within the I-2 Industrial Employment District. However, the need for initial (baseline) testing will be assessed on a case-by-case basis, with staff exercising discretion in accordance with business type:

Deleted: 8

Deleted: :

A. Vibration:

1. Ground-borne vibration shall not exceed 0.02 inches per second peak particle velocity (PPV) at the property line when adjoining residential districts.
2. Vibrations from temporary construction and vehicles leaving the property (such as trucks or trains) are excluded. Vibrations from on-site equipment or vehicles that remain primarily on-site are included.
3. Vibrations of no more than five (5) minutes in any one (1) day between the hours of 7:00 a.m. and 7:00 p.m. shall not be deemed continuous, frequent or repetitive.

Deleted: No continuous, frequent or repetitive vibrations shall be produced which are discernible to a person of normal sensitivities, without instruments, on land that is not zoned for industrial uses.¶

B. Glare: Any operation or activity producing intense light or glare shall be performed in such a manner as not to create a glare effect across lot lines. Direct illumination from any source shall be screened from adjoining properties.

C. Heat:

1. Heat from an industrial use shall not at any time cause a temperature increase in the air on any adjacent property in excess of ten degrees Fahrenheit (10 F.).
2. Heat from an industrial use shall not at any time cause a temperature increase in a stream, wetland, lake or any other body of water, at or beyond the property line of the lot on which it is located, that would have an adverse effect on any aquatic life.

D. Liquid or Solid Wastes:

1. No industrial use shall result in the discharge of liquid or solid waste into any public sewer, private sewage system, public waters or into the ground except in compliance with applicable federal, state or local laws governing such discharge.
2. There shall be no accumulation outdoors of solid wastes conducive to the breeding of rodents or insects.
3. All discharges into any public sewer shall comply with the provisions of Section 134-2, et seq.

E. Smoke and Particulate Matter:

1. Open storage and open processing operations, including on-site transportation movements which are the source of windborne dust or other particulate matter or which involve dust or other particulate air contaminant generating equipment (such as used in paint spraying, grain handling, sand or gravel processing or sandblasting) shall be conducted so that dust

and other particulate air contaminants are not transported in visible quantities across the boundary line of the tract on which the industrial use is located.

2. All industrial uses shall comply with state and federal air pollution control regulations.

F. Toxic and Hazardous Materials:

1. All toxic and hazardous materials used in industrial operations shall be registered with the Front Royal Fire Department for purposes of safety.
2. Activities involving the storage or use of materials or products which decompose by detonation shall be registered with the Front Royal Fire Department.
3. Explosives shall be stored, used and manufactured in accordance with applicable state and federal regulations.

G. Odor:

1. Odor emissions shall not exceed detectable levels beyond the property line as measured using ASTM E544 or equivalent field olfactometry standards.
2. An odor which is evident no more than once in any one (1) day for a period not exceeding five minutes shall not be deemed as continuous, frequent or repetitive within the meaning of these regulations.

Formatted: Font: 12 pt

Deleted: No continuous, frequent or repetitive emission of odors or odor-causing substances of such intensity and character as to be detrimental to the health and welfare of the public or neighboring landowners or to interfere with the comfort of the public or neighboring landowners at or beyond the property line shall be permitted. Any such odor or odor causing activity or substance shall be removed, stopped or so modified as to remove the odor.

H. Noise:

1. No industrial activity shall generate noise that tends to have an annoying or disruptive effect upon uses located beyond the property boundary.
2. Where technical evidence of violation is warranted, sound levels shall be measured at property boundaries or at location(s) of violation(s) with a sound level meter and associated octave band filter, manufactured in accordance with the American Standards Association. Measurements shall be made using the flat network of the sound level meter. No sound pressure level shall exceed the decibel levels in the octave bands shown herein.
3. Maximum permitted sound levels (in decibels):

Deleted: locations specified in XXXXXX

Deleted:

<u>Octave Band Cycles Per Second</u>	<u>Maximum Permitted Sound Level in dB(A)</u>	<u>Maximum Permitted Sound Level in dB(C)</u>
-	-	-
<u>0 to 75</u>	<u>72</u>	<u>88</u>
<u>75 to 150</u>	<u>67</u>	<u>80</u>
<u>150 to 300</u>	<u>59</u>	<u>67</u>
<u>300 to 600</u>	<u>52</u>	<u>56</u>

<u>600 to 1200</u>	<u>46</u>	<u>48</u>
<u>1200 to 2400</u>	<u>41</u>	<u>37</u>
<u>2400 to 4800</u>	<u>38</u>	<u>37</u>
<u>Above 4800</u>	<u>35</u>	<u>35</u>

4. Noise resulting from temporary construction, repair, remodeling, demolition, grading, or utility installation activities shall be exempt from the industrial noise limits of this Section, provided that:

- a. Such activities occur only between 7:00 a.m. and 7:00 p.m., Monday through Saturday;
- b. Noise levels do not exceed 85 dBA at the property line;
- c. Equipment is maintained in good working order and equipped with manufacturer-recommended mufflers; and
- d. Construction activity exceeding thirty (30) consecutive days at the same site shall comply with the standard industrial noise limits unless extended by the Zoning Administrator for good cause.

5. Where industrial activities produce continuous, intermittent, or tonal noise, the zoning authority may require compliance testing using DBA or DBC standards, as appropriate to the specific noise characteristics of the use.

I. Screening:

1. Except where otherwise specifically approved in the Town Code, permitted uses shall be conducted wholly within a completely enclosed building.
2. Outdoor storage, outdoor display or outdoor sale of goods shall only be permitted when each of the following standards are met.
 - a. Outdoor storage, outdoor display, or outdoor sale of goods shall be used in direct association with the primary use or uses of the property.
 - b. Outdoor storage, outdoor display and/or outdoor sales shall be screened to obstruct view from any adjacent public street. A screen may consist of a building, solid masonry wall, uniformly painted solid board fence or landscaping. The height of the screening shall be 6' feet unless an alternative height is approved by the Planning Commission during the review of a site plan.
3. The following types of outdoor display and/or outdoor sales shall be exempt from the display requirements.

Deleted: Octave Band
Cycles Maximum Permitted¶

Formatted: Font: (Default) Times New Roman, 12 pt, Font color: Accent 1

Deleted: <#> Second	Per Sound Level¶
in Decibels¶	0 to
75	75 to 72¶
150	150 to 67¶
300	300 to 59¶
600	600 to 52¶
1200	1200 to 46¶
2400	2400 to 41¶
4800	4800 to 38¶
4800	Above 35¶

Formatted: Outline numbered + Level: 2 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Deleted: 4. Noise resulting from temporary construction activity between the hours of 7:00 a.m. and 7:00 p.m. shall be exempt from this section.

Formatted: Font: (Default) Times New Roman, 12 pt, Font color: Accent 1

Formatted: List Paragraph, Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Tab after: 0.5" + Indent at: 0.5"

Formatted: Indent: Left: 0.25", First line: 0"

Deleted: of Section 6.1.1.1

- a. Motor vehicles.
 - b. Power operated machines designed for outdoor labor, such as farming, construction or lawn maintenance, as well as large equipment, products, and materials designed to be kept outdoors.
 - c. Plants and other landscaping products typically sold with plants.
 - d. Temporary or seasonal activities, such as but not limited to, peddlers and itinerant merchants that have obtained approval from the Town.
 - e. Pre-manufactured buildings.
 - f. Vending machines.
 - g. General products, goods, merchandise, and/or materials, provided that (i) no more than 200 square feet of area is used, and (ii) outdoor display and/or sales are restricted from the evening and night hours from 8PM to 5AM, except that general products, goods, merchandise, and/or materials may be kept outdoors if located under a roofed structure.
4. All sites and parking areas shall be landscaped in accordance with the provisions of Sections 148-46, 148-47 and 148-48.
 5. Automobile graveyards and junkyards, including those in existence at the time of the adoption of this chapter, shall completely screen, on any side open to view from a public road, the operation or use by a solid masonry wall, a uniformly colored solid fence or dense evergreen plantings at least six (6) feet in height at the time of planting.

Section 6.14.12 - LOCATIONS FOR DETERMINATION OF PERFORMANCE STANDARDS (I-2) (175-71)

Deleted: 9

Measurements may be made at ground level or at habitable levels of buildings. Measurements shall be made at the property boundary of the parcel where the industrial use is located.

Section 6.14.13 - ADMINISTRATION AND ENFORCEMENT OF PERFORMANCE STANDARDS (I-2) (175-72)

Deleted: 0

A. Before a building permit or zoning permit shall be issued or construction commenced on any uses in this district or a permit issued for a new use, the development plans shall be submitted to the Zoning Administrator for review. Sufficient detail shall be provided on said plans to show compliance with the substantive provisions of this chapter and compliance of the operations and processes to the performance standards.

B. Determinations of a violation shall be made pursuant to a test using either the senses of the Zoning Administrator and a second municipal official/employee, or using equipment before notice of violation is issued. The operator of an industrial use shall be given written notice of the time and place of the test and given a reasonable opportunity to witness the test.

C. The Zoning Administrator will notify landowners and business operators/tenants in writing of violations and will then seek compliance. When notified of a violation, a landowner or tenant will have the opportunity to demonstrate that the operation predates the application of this Article and

is therefore a valid nonconforming use. A finding of violation may be appealed to the Board of Zoning Appeals and then to the courts.

D. If a violation exists and the operator fails to take satisfactory action within two (2) weeks, the Zoning Administrator shall take or cause to be taken such action as is appropriate to cause correction of such violation. Failure to obey lawful orders concerning correction of such violation shall be punishable as provided generally for violations in the Zoning Ordinance and in other laws or regulations affecting the case.

Section 6.14.14 - OFF-STREET PARKING AND LOADING (I-2) (175-73)

Deleted: 1

A. Parking space requirements:

1. Industrial uses/manufacturing/distribution areas: one (1) space per employee and one (1) space for every vehicle used on site, plus one (1) space per delivery/loading bay.
2. Automobile garages: two (2) spaces per service bay, or two (2) spaces for every three hundred sixty (360) square feet. Every such facility shall have a minimum of three (3) spaces.
3. Industrial uses/office component: one (1) space per three hundred (300) square feet of office area.
4. Other uses not specifically enumerated: see **Section 9.11.2**

B. Location: Minimum setback for loading areas, driveways and parking: five (5) feet from side and rear property lines for parking areas with fewer than fifteen (15) spaces and five (5) feet from front property line except where driveway entrance is located. All parking areas with fifteen (15) or more spaces shall meet the requirements of Section 148-48.

C. Loading space requirements:

1. Number: one (1) space for first ten thousand (10,000) square feet of gross floor area, plus one (1) space for each additional forty thousand (40,000) square feet or fraction thereof. For purposes of this section, gross floor area shall include gross outdoor storage areas, covered or uncovered.
2. Size of space: minimum twelve (12) feet wide and fifty-five (55) feet in length, with a minimum clear height of fifteen (15) feet.

ARTICLE 8 – USE REGULATIONS (175-107)

DIVISION 8.1 – USES FOR ELDERLY, DAY CARE, BED AND BREAKFAST AND CEMETERIES

Section 8.1.1 - NURSING AND CONVALESCENT HOMES, INCLUDING HOMES FOR THE ELDERLY (175-107)

In addition to the requirements of the district in which the nursing or convalescent home is located, such uses shall meet the following requirements:

- A. All state rules and regulations for the licensing of such uses.
- B. All requirements of the State Health Department and Fire Marshal's office regarding such uses.
- C. Parking requirements as established in Chapter 148.
- D. Architectural barriers, such as stairs, for residents of such establishments shall be overcome to the greatest extent possible. Additional safety features, such as handrails, in various areas shall be installed.

Section 8.1.2 - DAY CARE AND DAY-CARE FACILITIES IN RESIDENTIAL ZONING DISTRICTS BY SPECIAL USE PERMIT (175-107.1)

The following provisions shall apply to day care and day-care facilities located in residential zoning districts:

- A. All day-care operations in residential zoning districts shall be restricted to not more than one hundred (100) children per day-care facility.
- B. All day-care operations and day-care facilities shall be licensed by the Commonwealth of Virginia in accordance with the provisions of Virginia Code Section 63.1-196, as amended, unless otherwise specifically exempted from such licensing requirements under provisions of the Virginia State Code.
- C. Day-care operations in residential districts shall not be permitted in single-family or multi-family residential dwellings.
- D. Day-care operations in residential districts shall be restricted to schools, churches, lodges, hospitals, rest, convalescent or nursing homes, offices or halls which are otherwise permitted by right in the respective residential district in question, or any of the aforementioned facilities which are currently in existence as a nonconforming use, or any of the aforementioned facilities which have previously been approved for non-day-care purposes by Special Use Permit. The day-care operation shall be an ancillary or additional use to the facility in question. Facilities shall not be constructed in residential districts solely for daycare use.
- E. All day-care facilities in residential zoning districts shall be required to have a minimum lot size of twenty thousand (20,000) square feet for day-care operations with fifty (50) children or fewer and forty thousand (40,000) square feet for day-care operations with more than fifty (50) children.

Deleted: A

Formatted: Not Highlight

Deleted: SPECIAL PERMIT

Deleted: special permit

F. In assessing the request for a special use permit to conduct day-care operations in residential zoning districts, the Council shall consider and may require the availability of safe on-site drop-off and pickup areas, outdoor play areas not located in the facility's front yard, fenced play areas and screening or noise buffers for adjacent properties. The Council shall also consider the nature and suitability of the proposed facility, the size, location and characteristics of the grounds or yard, the safety of the children to be cared for at the facility, peak and non-peak traffic patterns, parking, the effects on nearby property and residents, noise and such other factors which the Council deems pertinent in assessing the suitability of any proposed day-care operation in a residential zoning district.

Section 8.1.3 - BED AND BREAKFAST USES IN RESIDENTIAL ZONING DISTRICTS BY SPECIAL USE PERMIT (175-107.2)

Deleted: SPECIAL PERMIT

The following provisions shall apply to Bed and Breakfast Uses located in residential zoning districts:

A. The minimum lot size for a Bed and Breakfast Home use shall be 1.5 acres if associated uses referenced in Subsection H are proposed on the property. The minimum lot size for a Bed & Breakfast with no associated uses in 0.5 acres.

B. The maximum number of guest rooms shall be ten (10) for Bed & Breakfasts with a lot size of 1.5 acres or greater. The maximum number of guest rooms shall be six (6) for Bed and Breakfasts with a lot size of 0.5 acres to 1.49 acres.

C. No provisions shall be allowed for cooking in individual guest rooms.

D. Parking shall be provided as follows: Two (2) spaces for residents, one (1) space per guest room and spaces for associated uses as determined by the Planning Commission. Tandem or stacked parking arrangements may be approved. Parking for associated uses must be provided on site.

E. The provision of the required parking and the traffic created due to this use shall not adversely impact any adjacent residential uses.

F. The exterior appearance of the structure shall not be altered from its single-family character.

G. Adequate landscaping, distancing and/or restriction of hours of operation shall be provided to buffer the adjacent residential uses from any noise or light generated by this use that is either uncharacteristic of residential neighborhoods or takes place at times uncharacteristic to residential neighborhoods.

H. Associated uses are allowable and may include but not be limited to catered events such as receptions and dinner parties, provided that such associated uses do not adversely impact any adjacent residential uses.

I. The owner must reside on premise.

J. Applicable provisions of the Uniform Statewide Building Code and all other laws, regulations, inspections, and licenses must be met.

K. Each Bed and Breakfast shall be allowed one (1) on premise sign no larger than two feet by two feet (2' x 2').

L. The owner must submit a plat of the property showing the existing conditions and location of the proposed parking.

Section 8.1.4 - BED AND BREAKFAST USES IN COMMERCIAL C-1 AND C-2 ZONING DISTRICTS BY SPECIAL USE PERMIT (175-107.3)

A. The maximum number of guest rooms shall be six (6).

B. No provisions shall be allowed for cooking in individual guest rooms.

C. The owner must reside on premise.

D. The exterior appearance of the structure must not be altered from its single-family character.

E. Parking shall be provided as follows: two (2) spaces for residents and one (1) space per guest room.

F. Applicable provisions of the Uniform Statewide Building Code and all other applicable laws, regulations, inspections, and licenses shall be met.

G. The owner must submit a plat of the property showing the existing conditions and the location of proposed parking.

Section 8.1.5 - CEMETERIES IN RESIDENTIAL DISTRICT (R-3) BY SPECIAL USE PERMIT (175-107.4)

A. The following provisions shall apply to cemetery uses located in residential (R-3) zoning districts:

1. Cemetery uses shall be located within a churchyard and designated on a plat to be submitted with the application.
2. Cemetery uses shall be marked with a fence or stone.
3. The location of cemeteries shall be registered with the Planning and Zoning Department.
4. Cemetery uses shall be set back 150 feet from lot lines.
5. Cemetery uses shall be set back a minimum of 250 yards from a residence if property owner consent is not received to be located closer to the residence (§57-26 Code of Virginia).
6. Cemetery uses shall be set back a minimum of 300 yards from a city, town, or water company well (§57-26 Code of Virginia).

Deleted: SPECIAL PERMIT

Formatted: Font: (Default) Times New Roman, 12 pt, Font color: Blue

Formatted: List Paragraph, Indent: Left: 0", Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

DIVISION 8.2 – TEMPORARY USES AND STRUCTURES

Section 8.2.1 - RECREATIONAL VEHICLES AND TRAVEL TRAILERS (175-100)

A. Recreational vehicles and travel trailers may be stored in a side, corner side, or rear yard of a lot, provided they are stored in a location that meets the minimum yard requirements as would be required for an accessory building of the same dimensions. Except as provided in subsection B below, no recreational vehicles shall be stored closer to a street than the minimum setback line or yard requirement in any district and occupancy shall be prohibited. Other restrictions, as found under Chapter 158, Section 19.1, apply to the parking of recreational vehicles within the public right of way.

B. Temporary parking of recreational vehicles and travel trailers that does not comply with Subsection A may be allowed in the front yard only for the following circumstances:

1. Temporary parking of up to three (3) consecutive days, located entirely on private property, and on a paved driveway, for the sole purposes of cleaning and preparing the unit for use or storage.
2. Temporary parking of up to fourteen (14) days within any calendar month, up to three times during the calendar year, for temporary accommodation of visitors. The vehicle shall not be permanently connected to public utility system. However, the vehicle may be connected to electricity temporarily for charging batteries or other purpose related to the preparation of the vehicle for use.
3. Temporary parking for the purpose of camping where campgrounds are permitted, or permitted by special use permit.
4. Extensions of time to the above restrictions of this subsection may only be granted under the same conditions as found under [Division 9.3.3](#).

Section 8.2.2 - TEMPORARY CONSTRUCTION TRAILERS (175-109)

A. Zoning permits for temporary trailers may be issued by the Zoning Administrator in any zoning district for construction purposes only. Temporary trailers may not be used for residential purposes or sales offices. All permits for temporary construction trailers shall be subject to the following conditions:

1. The Zoning Administrator shall review and approve or deny all requests for temporary construction trailer permits. In assessing a request for a temporary construction trailer permit, the Zoning Administrator shall consider the necessity for such temporary construction trailer, its location and its effects on the surrounding neighborhood and/or adjoining property owners and may require terms and conditions on the location and placement, type and number of trailers, screening and such other reasonable conditions as the Zoning Administrator shall deem necessary.
2. The location of temporary construction trailers on a specific site shall be necessary for the purpose of a construction office or storage.

3. The request for a temporary construction trailer permit shall be filed by the contractor, landowner or State Department of Highways and Transportation as being essential to the construction activity.
4. A minimum area of two thousand (2,000) square feet shall be provided for each temporary construction trailer space.
5. Each temporary construction trailer shall have a minimum of two (2) off-street parking spaces in addition to other parking spaces required by this chapter for other activities.
6. All sanitary facilities must conform to State Health Department trailer camp sanitation requirements.

B. The maximum period allowable for the placement of a temporary construction trailer shall be six (6) months or until completion of the project, whichever is shorter. Applications for renewal for a successive six-month periods may be submitted if additional time is required to complete the project. However, each renewal application must be filed at least thirty (30) days prior to the expiration of the original temporary construction trailer permit

C. The Zoning Administrator, in granting a temporary construction trailer permit, may require the posting of a bond to ensure that the temporary construction trailer will be removed and the site left in good order at the expiration of the permit.

D. The Zoning Administrator may establish such additional requirements and conditions as may be in the best interests of the Town.

Section 8.2.3 - TEMPORARY TRAILERS; NONRESIDENTIAL USES (175-109.1)

A. The Town Council in its discretion may grant a Special Use Permit for approval not to exceed one (1) year for the use of a temporary trailer or a temporary manufactured home for specified nonresidential purposes related to the following permitted uses:

1. Hospitals.
2. Schools.
3. Churches.
4. Institutions.
5. Rest, convalescent or nursing homes.
6. Public utilities.
7. Industrial facilities.

B. The Special Use Permit may be granted for any zoning district, provided that the underlying use is permitted in that zoning district. For good cause shown, Council may vote to grant a single extension for an additional period not to exceed one (1) year.

Deleted: special permit

Deleted: ¶

Deleted: 1.

Formatted: Font: (Default) Times New Roman, 12 pt, Font color: Blue

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Deleted: special permit

C. All temporary trailers approved under this section for a period of six (6) months or more shall be placed and anchored on a foundation appropriate for a two-year duration. All such foundations shall be skirted.

D. The Special Use Permit application shall specify the event or solution that will terminate the need for the temporary trailer. In assessing the application for a Special Use Permit, Council shall consider the following:

Deleted: special permit

Deleted: special permit

1. The effect on surrounding properties.
2. The effect on community appearance.
3. The stated need for a temporary facility, and the availability of alternative solutions.
4. Traffic and safety factors.
5. Such additional factors as may apply to the site, and the particulars of the application.

DIVISION 8.3 – AUTOMOBILE AND TRUCK USE REGULATIONS

Section 8.3.1 - AUTOMOBILE SERVICE STATIONS (175-110)

The Town Council, upon recommendation from the Planning Commission, may place certain restrictions on automobile service stations in the C-1, C-2, I-1 and I-2 Zones, in addition to the regulations of those zones, based on the following criteria:

A. The effect of such proposed buildings and use upon the character of the neighborhood, traffic conditions, public facilities and other matters pertaining to the public health, safety and general welfare.

Deleted:

B. All appliances for dispensing gasoline installed outside of enclosed buildings shall be located not less than fourteen (14) feet from any property line adjoining the public street and all such appliances shall be installed and maintained in such location as to prevent any part of vehicles being serviced from standing on the street, alley or sidewalk area.

Section 8.3.2 - INOPERATIVE MOTOR VEHICLES (175-110.1)

A. No more than one (1) inoperative motor vehicle, trailer or semitrailer, as defined by Virginia Code Section 46.2-100, which is inoperative, shall be kept outside a completely enclosed building on any property zoned for residential or commercial purposes. Such inoperative vehicle must be fully screened year-round from public view by plantings, fencing or a professionally manufactured car cover. Any inoperative vehicle stored under a car cover shall not be maintained on the same lot for more than six months in a twelve-month period. In no case shall any inoperative vehicles be stored in the required parking spaces for the use or in any required yard adjoining a public street.

Deleted: ,

B. For the purpose of this section, the word "inoperative" shall mean:

1. A motor vehicle, pursuant to Virginia Code §15.2-904.A.(ii), which for a period of 60 days or longer has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential parts required for operation of the vehicle.

2. A motor vehicle, pursuant to Virginia Code §15.2-904.A.(iii), on which there are displayed neither valid license plates nor a valid inspection decal.

C. The provisions of this section shall not apply to a person, firm or corporation which has been regularly and continuously licensed and engaged in the business of an automobile dealer, salvage dealer or scrap processor at the property in question since June 26, 1970.

Commented [LN6]: Anyone know what this is?

D. The owners of property zoned for residential or commercial purposes shall at the demand of the Town Council or its designated agent remove from their property any such inoperative motor vehicles, trailers or semitrailers that are not kept within a fully enclosed building or structure. Notice of the demand shall be sent to the property owner by first class mail to the owner's address as it appears in the Town tax records. In the event that the inoperative vehicle has not been placed in a fully enclosed building or structure, fully screened year- round from public view by plantings, fences or a professionally manufactured car cover, or removed from the property within ten (10) days from the date the notice was sent, then the Town or its designated agent may remove the inoperative vehicle, and thereafter dispose of the same upon furnishing the vehicle owner with ten (10) days' written notice. If the vehicle owner cannot be determined, the property shall be disposed of in accordance with Town Code Section 124-1 et seq.

E. The cost of inoperative vehicle removal, storage and/or disposal shall be chargeable to the owners of the vehicle or the owners of the premises, and may be collected by the Town as taxes and levies are collected. Every cost authorized by this section which is assessed against the owners of the premises shall constitute a lien against the property from which the vehicle was removed, and shall continue to constitute a lien until actual payment in full has been made to the Town.

Section 8.3.3 TRUCKS AND SEMITRAILERS (175-110.2)

A. In the zoning districts listed below in this subsection, it shall be unlawful for any person, firm or corporation to keep, park or store upon any lot in R-1, R-1A, R-2, R-3 Residential Zoning Districts or any residential portion of a PND or MCD District, any tractor truck or semitrailer designed to be used with a tractor truck, as defined in Virginia Code Section 46.2-100, or any truck with a registered gross weight in excess of twelve thousand (12,000) pounds. These provisions shall apply regardless of whether such a vehicle is kept, parked or stored in the open or within an enclosed structure.

1. R-1 District
2. R-1A District
3. R-2 District
4. R-3 District
5. PND District (only within areas approved solely for residential use)

B. The provisions of subsection 8.3.3.A. shall not apply to any of the following vehicles:

Formatted: Not Highlight

1. School buses, church buses and other buses engaged in public transportation.

2. Pickup trucks with a registered gross weight of twelve thousand (12,000) pounds or less.
3. Panel truck with a registered gross weight of twelve thousand (12,000) pounds or less.
4. Motor homes, camping trailers and recreational vehicles as defined in Virginia Code Section 46.2-100. See Section 8.2.1 for recreational vehicle regulations.
5. Trailers of every type, except semitrailers designed to be used with a tractor truck.
6. Hospital mobile units and fire and rescue vehicles.
7. Vehicles owned and operated by public utilities.
8. Farm vehicles used in agricultural pursuits on parcels of land one (1) acre or larger.

Formatted: Not Highlight

C. The provisions of subsection 8.3.3.A. shall not apply to any vehicle which comes upon property for pickups, deliveries and service to property made in the regular course of business or which comes upon the property in the course of construction, maintenance or improvement to the property or adjoining streets and facilities.

Formatted: Not Highlight

D. Other than areas where semitrailers are restricted, as listed above under subsection A, trailers may be used for temporary storage; provided that, (i) the location of the semitrailer(s) is not located in the required yard area adjacent to any public street, (ii) the location of the semitrailer(s) does not interfere with required parking, vehicular mobility and vehicular maneuvering, (iii) the location is on an all-weather surface material, (iv) all fire and building code requirements are complied with, (v) a zoning permit is obtained from the Town, and (vi) no more than one trailer for temporary storage shall be permitted on property in any commercial zoning district. A 6' high opaque fence, hedge, landscape screen, wall, building wall, or berm may be used for screening to prevent view of a trailer used for temporary storage.

Section 8.3.4 - MOTOR VEHICLE PAINTING AND BODY WORK (175-110.3)

Motor vehicle body work and painting establishments shall comply with the following requirements:

- A. All work shall be conducted in a completely enclosed building.
- B. Used or damaged equipment removed from vehicles during the process shall be stored indoors, in a completely screened enclosure or shall be deposited in an approved covered outdoor collection receptacle for appropriate off-site disposal.
- C. Temporary overnight outdoor storage and parking of vehicles waiting for repair or pickup shall be permitted. All damaged vehicles shall be stored indoors or in a completely screened enclosure. No long-term storage (sixty (60) days or more) shall be permitted.
- D. A certificate of compliance with the Virginia Uniform Statewide Building Code shall be obtained for the use prior to commencement of the activity.
- E. All hazardous waste material, including paint, oil, antifreeze, etc., shall be disposed of only with a licensed hazardous waste removal firm.

Deleted:

F. The facility shall be equipped with adequate filtering to ensure that no overspray or particulate matter from the operation shall be discernible beyond the property line.

G. Notwithstanding the provisions of Article 13 pertaining to the definition of junkyard, authorization for the outdoor storage of up to eight (8) vehicles intended to be salvaged for parts may be made as part of the Special Use Permit approval. Such vehicles shall be confined to a defined storage area that is effectively screened from public view.

Deleted: special permit

DIVISION 8.4 - SHORT-TERM RENTALS (175-151)

Short-term rentals shall be permitted in all Zoning Districts by Special Use Permit and shall at a minimum meet the following requirements:

- A. The short-term rental owner of a dwelling unit to be used for a short-term rental shall apply for a Special Use Permit through the Department of Planning and Zoning and receive approval from Town Council prior to utilizing the dwelling unit as a short-term rental. Town Council may impose conditions necessary to mitigate adverse effects of the use on neighboring properties.
- B. The one-time application fee shall be as written in the Fee Schedule.
- C. Staff will conduct an inspection prior to the issuance of the Special Use Permit approval. Additional inspections will be conducted on a complaint basis to ensure compliance with the performance standards listed in this section, along with any additional conditions imposed by Town Council, if applicable.
- D. The maximum number of occupants in the dwelling unit shall be determined by the number of bedrooms; there shall be no more than two (2) adults per bedroom. However, the maximum number of occupants shall not exceed 10 people unless approved by Council.
- E. A fire extinguisher shall be provided and visible in all kitchen and cooking areas; smoke detectors shall be installed in all locations as identified in the most recent version of Uniform Statewide Building Code and a carbon monoxide detector must be installed on each floor in every dwelling.
- F. The owner of a dwelling used for short-term rentals shall give the Town written consent to inspect any dwelling used for short-term rental to ascertain compliance with all the above performance standards upon a twenty-four-hour notice.
- G. A property management plan demonstrating how the short-term rental will be managed and how the impact on neighboring properties will be minimized shall be submitted for review and approval as part of the permitting process to the Planning Department. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants and utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to Town staff, public safety officials and, if applicable, the HOA of the subdivision. The plan must be provided as part of the rental contract.
- H. If the property is located within a subdivision governed by a homeowners' association, the Planning Department must receive proof that a notification to operate the short-term rental was sent to the HOA.
- I. The owners of the rental shall provide an emergency evacuation plan for the dwelling and the neighborhood.
- J. A copy of Chapter 106 of the Town of Front Royal Code relative to noise must be provided

Deleted: The one-time application fee shall be \$400

Deleted: <#>Parking for the use shall be located in driveways or other designated and approved parking areas. ¶
There shall be no visible evidence of the conduct of such short-term rentals on the outside appearance of the property. ¶

Deleted: <#>2015 or 2018

Deleted: <#> (2018 Version required usage beginning July 1, 2022);...

at the short-term dwelling.

- K. All outdoor burning shall be in compliance with Chapter 78 of the Town of Front Royal Code.
- L. Failure to comply with the approved conditions and/or supplemental regulations will subject the permit to revocation by the Zoning Administrator at any time.

8.4.1 Short-Term Rental Quantity and Density Limits

A. Purpose and Applicability

This section regulates the concentration and total number of short-term rental units through numerical limits and neighborhood protections in order to preserve the residential character of established neighborhoods, maintain neighborhood stability, and ensure compatibility between transient lodging uses and surrounding residential uses. These regulations are adopted pursuant to the Town's authority to protect the public health, safety, and general welfare and are intended to mitigate potential adverse impacts associated with short-term rentals, including noise, traffic, parking congestion, and other nuisance conditions that may arise from high concentrations of transient occupancy within residential areas.

1. The following table sets the neighborhood limits for short term rental location(s).

Category	Metric / Trigger	Number of STR Permits	Purpose
STR Cap (R-1)	3% of total residential units	≈104 permits	Prevents excessive housing conversion and maintains neighborhood integrity and Character
STR Cap (R-2)	3% of total residential units	≈56 permits	Prevents excessive housing conversion and maintains neighborhood integrity and Character
STR Cap (R-3)	3% of total residential units	≈28 permits	Prevents excessive housing conversion and maintains neighborhood integrity and Character
Early Review Threshold	2.5% of residential units in any Residential District	Varies by district	Review neighborhood saturation added by new application
Complaint Revocation Standard	3 substantiated complaints within 12 months	Per property	Enforces accountability
	Police calls 25% above residential average	Per STR property	Public safety safeguard
Number of permitted STRs will adjust with the number of available residential units in each zoning district			

DIVISION 8.5 – HOME OCCUPATIONS (175-108.1)

All home occupations shall meet the following standards:

A. The use shall be clearly incidental to the principal use of the property for residential purposes and shall not change the exterior appearance of the dwelling unit, or change the character of the neighborhood.

B. Operators of home occupations must be residents on the same parcel, or parcels, where the home occupation is located. Notwithstanding subsection B, nonresident employees may also work

Formatted: Indent: Left: 0.33", No bullets or numbering

Formatted: Font: Not Bold

Formatted: Indent: Left: 0.25", Numbered + Level: 4 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.75" + Indent at: 2"

Deleted: ¶

Formatted: List Paragraph

for the home occupation, but no more than one (1) nonresident employee may work from the parcel, or parcels, at the same time.

C. No outdoor display, sales or storage of goods, materials or equipment shall be permitted, except that, the Zoning Administrator may authorize up to two (2) business vehicles, including any vehicle used by a nonresident employee. Equipment and inventory shall be contained within the dwelling or accessory structure, provided that it does not violate the other restrictions of this section, including, but not limited to, changing the appearance of the dwelling unit, changing the character of the neighborhood, or increasing traffic.

Deleted: .

Deleted: Indoor storage is permitted,

D. No wholesale or retail business shall be permitted unless it is conducted entirely by mail and/or telephone and does not involve the bulk shipment/delivery of merchandise to and from the premises; provided, however, that articles produced by the home occupation operators may be sold on the premises.

E. Provided that the other requirements of this section are complied with, home occupations shall include, but shall not be limited to, the following uses: home offices, computer repair services, artist studios, instructional services/tutoring, dressmaking, babysitting/babysitting services, or small item repair services. Uses that are restricted from being classified as home occupations shall include, but shall not be limited to, the following uses: motor vehicle repair, beauty/barber shops (with more than one (1) customer at a time), restaurants, animal hospitals/kennels, retail sales, and dance studios.

Deleted: , telecommunication services

F. In the instance of a home occupation involving a nonresident employee, at least one (1) additional off-street parking place shall be provided.

G. No home occupation shall create greater vehicular or pedestrian traffic than is otherwise normal for the district in which it is located.

H. No home occupation shall create noise, dust, vibrations, smells, smoke, glare, electrical interference, fire hazard or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in the district on residentially used zoning lots where no home occupation exists.

I. Home occupations shall occupy no more than 25% of the total floor area of the dwelling.

Formatted: Font: Not Bold

J. Home occupations shall have no more than 1 on-site non-resident employee.

K. Any home occupation exceeding these limitations (e.g., more employees, larger space, or outdoor activity) may be permitted only through a special use permit.

Formatted: Font: Not Bold

L. Notwithstanding other regulations within this Chapter, signs are not permitted for home occupations, except that the Zoning Administrator may authorize a sign for the following circumstances.

Deleted: I

1. When the sign is located on an authorized business vehicle and does not exceed ten (10) square feet in size.

2. When the sign is located within the C-1, C-2, C-3, I-1, I-2, or MCD Zoning District, subject to the following conditions.
 - a. Shall not exceed four (4) square feet in size.
 - b. Shall not exceed six (6) feet in height, if freestanding.