

PLANNING COMMISSION WORK SESSION
WEDNESDAY, MAY 6, 2026 @ 6:00PM
Town Hall – 2nd Floor, East Conference Room

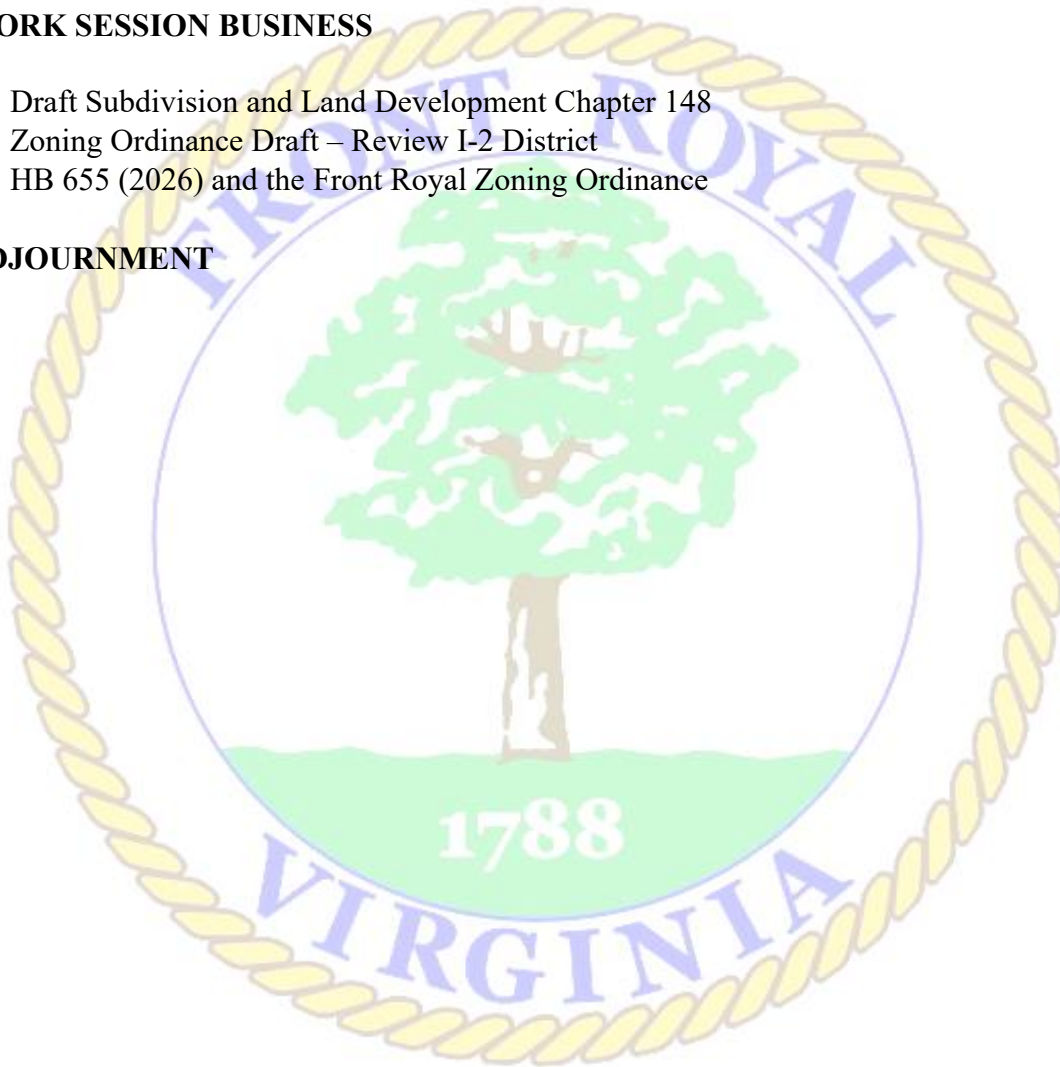
I. CALL TO ORDER

II. ROLL CALL – DETERMINATION OF QUORUM

III. WORK SESSION BUSINESS

- Draft Subdivision and Land Development Chapter 148
- Zoning Ordinance Draft – Review I-2 District
- HB 655 (2026) and the Front Royal Zoning Ordinance

IV. ADJOURNMENT



WORK SESSION BUSINESS ITEM 1

DRAFT SUBDIVISION AND LAND DEVELOPMENT CHAPTER 148

Chapter 148 SUBDIVISION AND LAND DEVELOPMENT¹

ARTICLE 1 TITLE, PURPOSE AND APPLICABILITY

148-100 TITLE

This Chapter is known and may be cited as the "Subdivision and Land Development Ordinance of the Town of Front Royal, Virginia" or "Subdivision and Land Development".

148-110 PURPOSE

- A. The purpose of this Chapter is to establish certain subdivision and land development standards and procedures for Front Royal, Virginia, as required by the Code of Virginia, 1950, as amended.
- B. These Articles are intended to assure the orderly subdivision and development of land, the beneficial growth of the community, and to promote the public health, safety, convenience, comfort and general welfare. These standards and procedures govern the process of change that occurs when land is subdivided or becomes more urban in character as a result of residential, business or industrial development. The Subdivision and Land Development Ordinance is also intended to provide assurance to purchasers of lots that they are buying a commodity suitable for development and use; and provide for the construction of safe, adequate and more efficient and effective public facilities.

148-120 AUTHORITY

The Front Royal Town Council, following public hearing and in consideration of the recommendations of the Front Royal Planning Commission, enacts this legislation in accordance with the provisions of Code of Virginia, Title 15.2, Ch. 22, as amended and in accordance with its authority granted under the Front Royal Town Charter and the Code of Virginia to ensure the orderly subdivision and development of land.

148-130 ADMINISTRATION

The Director of Planning and Zoning, hereafter referred to in this Ordinance as the "Director," shall administer this Ordinance, or shall designate an agent as administrator of this ordinance. The Director may establish such administrative rules and procedures as deemed necessary, under the general direction and guidance of Council.

148-140 SEVERABILITY AND VALIDITY

Should any Article, section or part of this Chapter be declared by any court of lawful jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the Chapter as a whole or any part thereof other than the part held invalid or unconstitutional.

¹Editor's note(s)—Amended 6-8-15.

Commented [WT1]: Do we also need to add reference to the Front Royal Zoning Ordinance here?

Commented [AD2R1]: No, the ZO doesn't enable the SO, the Charter and Code do.

Commented [WT3]: Draft text to permit designee to administer ordinance

148-150 APPLICABILITY; WHEN EFFECTIVE DATE

- A. The provisions of this Chapter shall be applicable to all land located within the corporate limits of the Town of Front Royal, Virginia. No building or zoning permit shall be issued for any development unless the requirements of this Chapter are met.
- B. This Chapter governs the following types of development:
1. All divisions of land into parcels or adjustments to the boundaries of parcels within the Town, both residential and nonresidential, proposed after the effective date.
 2. Any modification or alteration to the design of an existing subdivision.
 3. Any development or re-development in which vehicle parking spaces are to be used by more than one (1) establishment.
 4. Any use, change of use, development or re-development in a residential, commercial, industrial district, or mixed-use district.
 5. Any nonresidential development or re-development in a residential district or a change of use from one category to another.
 6. Any use, development or re-development requiring special use permit approval under Chapter 175, of the Town Code.
 7. All public and/or semi-public buildings and other uses involving a structure required to be reviewed by the Planning Commission under Code of Virginia § 15.2-2232, as amended.
 8. Any revision or amendment to an existing, approved site plan, plan and profile or final subdivision plat.
- C. This Chapter was duly considered, following required public hearings, was adopted by the Town Council, and became effective on June 8, 2015. A certified copy of the Chapter, as may be amended from time to time, shall be filed in the office of the Town Manager.
- D. No lot of a subdivision may be sold or transferred before a plat has been approved and recorded, in accord with this ordinance or with the subdivision ordinance in force at the time the lot was subdivided. Nothing herein may be construed as preventing the recordation of an instrument by which land is transferred or title passed as between the parties to the instrument.

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148-160 INTERPRETATION; WORD USAGE

- A. In their interpretation and application, the provisions of this Chapter shall be held to be the minimum requirements stated herein.
- B. For the purpose of this Chapter, certain words and terms used herein shall be interpreted or defined as follows, and in accord with the definitions contained in Article 9 of this Chapter. Words used in the present tense include the future, words importing the masculine gender include the feminine and neuter, words used in the singular form include the plural and the plural the singular, unless the natural construction of the word indicates otherwise; the word "lot" includes the word "parcel"; the word "shall" is mandatory; the word "approve" shall be considered to be followed by the words "or disapprove"; any reference to this Chapter includes all ordinances amending or supplementing the same.
- C. This Chapter shall be used and interpreted in conjunction with the provisions of Chapter 175, Zoning, and other applicable ordinances of the Town of Front Royal.
- D. In the event a term is not defined in this Chapter, the Director shall refer to other Chapters of the Front Royal Code for guidance and to Code of Virginia § 15.2-2201, as amended. If ambiguity remains, the Director shall

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then rely on the conventional, recognized meaning of the word or phrase (e.g., the current edition of Merriam-Webster's Dictionary).

148-170 EFFECT ON PRIOR ARRIVALS

Nothing in this Chapter shall be deemed to require any change in or invalidation of plats or projects previously approved and of record prior to the effective date of this Chapter.

148-180 SUBDIVISION APPROVAL AND RECORDING REQUIRED

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- A. Whenever any subdivision of land is proposed, before any sale, exchange, transfer, or recordation is made of any subdivided part thereof and before any permit for the erection of a structure in such proposed subdivision shall be granted, the applicant shall apply for and secure approval from the Town of Front Royal of such proposed subdivision, in accord with all provisions of this Chapter. Plats for each and every separate parcel comprising the source tract, to include all primary and residual subdivided parcels, shall be required to be submitted for approval. Upon approval, plats shall be recorded among the Land Records of Warren County, Virginia.
- B. Hereafter all plans for the subdivision of land within the corporate limits of the Town of Front Royal shall be reviewed and acted upon by the appropriate town, state or other officials in accord with procedures and other requirements as may be provided for in this Chapter. Any change in a recorded plat shall constitute a re-subdivision and shall make said plat subject to any and all of the requirements of this Chapter.
- C. No plan or plat for the subdivision of land within the corporate limits of the Town of Front Royal shall be approved unless and until all Town real estate taxes, delinquent taxes, including interest and penalty, on the entire parcel to be subdivided have been paid in full. The Director shall notify the Director of Finance that the plan or plat is ready for signature approval after all review agency comments have been addressed. The Director of Finance shall then be the first person to sign the plans or plats under the notation that all Town real estate taxes have been paid in full.
- D. The Town shall not approve a subdivision of land if, after adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed. Provisions of this chapter shall be relied upon to determine suitability.

ARTICLE 2 ADMINISTRATION AND GENERAL REGULATIONS

148-200 COMPLIANCE REQUIRED

- A. The Warren County Clerk of Court shall not file or record a plat of a subdivision until such plat has been approved as required herein. The penalties provided herein shall apply to any failure to comply with the provisions of this Chapter.
- B. No zoning clearance permit will be issued by any administrative officer of the Town of Front Royal, for the construction of any building or other improvement requiring a permit upon any land for which a subdivision plat or site development plan is required, unless and until the requirements of this Chapter have been complied with. Any person aggrieved by the decision of any administrative official whose decision is required pursuant to this Chapter may appeal said decision to the Town Council.

148-210 ADMINISTRATIVE WAIVER OF TECHNICAL REQUIREMENTS

- A. Upon compliance with the provisions of Section 148-210.B, the ~~Director~~ applicant may ~~submit a waiver application to waive~~ either one (1) or more technical requirements of this Chapter, and ~~receive administrative approval for~~ the plat or plan ~~administratively~~ for the following types of subdivision or land development activities:
1. The division of a single lot or parcel into not more than ~~eight~~ two (28) parcels or lots.
 2. The combination or recombination of previously platted and recorded lots where the total number of lots is not increased, including the vacation or abandonment of a lot line.
 3. ~~Minor adjustments to an existing lot line that do not substantially change the size of any lots and which conform to all requirements of the applicable zoning regulations.~~
 4. ~~The change of use, development or re-development in a residential district for three (3) or fewer dwelling units in a single structure.~~
 5. ~~The change of use, development or re-development in a commercial or industrial district where the number of required parking spaces is ten (10) or less and the size of the structure and/or open air use does not exceed two thousand (2,000) square feet.~~
- B. Proper finding shall be made that such subdivision or site development:
1. Does not violate the street frontage, lot area and width requirements of the applicable zoning district.
 2. Does not violate the setback requirements of the applicable zoning district for the new property boundaries, where current improvements exist at the time of subdivision.
 3. Does not involve the creation or dedication of any new public street or drainage easement.
 4. Does not involve the extension of any sewer or water lines.
 5. Does not obstruct any natural drainage or transportation facility, including planned transportation facilities.
 6. ~~Does not in any way violate the intent of this Chapter, the Zoning Ordinance (Chapter 175), the adopted Stormwater Management Control Plan, or the adopted Comprehensive Plan.~~
 7. ~~Does not concentrate stormwater runoff in an inadequate receiving channel or pipe.~~
- C. ~~The Director may waive or modify any of the plat or plan detail requirements upon request by the applicant and upon finding by the Director that the item is not required for the specific application, or that the modification serves the purpose of this ordinance to at least an equivalent degree.~~

148-211 SPECIAL EXCEPTIONS

- A. A special exception to the general regulations of this Chapter may be granted by Town Council, for either of the following circumstances:
1. When strict adherence to the general regulations would result in substantial injustice or hardship; provided that, the special exception would not diminish public health, safety or general welfare, including, but not limited to, consideration that adequate provisions are provided to ensure long-term maintenance of public and shared private facilities, and conformance with the goals and objectives of the Comprehensive Plan.
 2. When it is demonstrated that use of alternative regulations for a particular development would better achieve at least one (1) of the goals listed below; provided that, the special exception would not

Commented [WT4]: Case Studies: Fairfax County - <https://www.fairfaxcounty.gov/landdevelopment/sites/landdevelopment/files/assets/documents/19-08-waivers-modifications-appropriate-review-during-entitlement.pdf>

Appears that they have a waiver application process for staff to approve/deny a waiver depending upon appropriateness

Commented [WT5R4]: <https://www.fairfaxcounty.gov/landdevelopment/sites/landdevelopment/files/assets/documents/forms/waiverrequestform.pdf>

Commented [WT6R4]: Seems like Loudoun only uses waivers for splitting a parcel into 2 - https://codelibrary.amlegal.com/codes/loudouncounty/latest/loudounco_va/0-0-0-10323

Commented [AA7]: There is no situation in which adjustment of an existing lot line does not affect the adjacent property owner.

Commented [AA8]: This seems like a zoning permit and doesn't belong in the subdivision ordinance.

Commented [AA9]: Ditto. Sounds like a zoning permit.

Commented [WT10]: Not within FR ordinance, through the county

Commented [MA11]: Maybe unnecessary because this would be figured out with the above "Stormwater Management Plan" reviewed with that process?

Commented [AD12R11]: It may be unnecessary but I'm going to reject the deletion.

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Commented [WT13]: Recommended for removal

diminish public health, safety or general welfare, including, but not limited to, consideration that adequate provisions are provided to ensure long-term maintenance of public and shared private facilities, and conformance with the goals and objectives of the Comprehensive Plan.

- a. **Creation of affordable housing.**
- b. Design emphasis on the principles of traditional neighborhood design, including pedestrian-friendly roads, interconnection of new local streets with existing local streets, connectivity of pedestrian networks, and mixed-use neighborhoods.

- c. Conservation or use of on-site natural features to protect water quality or open spaces.

- B. Any request for an exception, shall be submitted to the Director, and shall include a signed and completed application form, any application fees, and any supporting documentation submitted by the applicant.
- C. Prior to approval or denial of any request for an exception, the Planning Commission shall hold a public hearing, in accordance with Code of Virginia § 15.2-2204, to review and provide recommendations to Town Council.
- D. Prior to approval or denial of any exception to the design standards of this Chapter, Town Council shall hold a public hearing, in accordance with Code of Virginia § 15.2-2204.
- E. Town Council may impose such conditions or restrictions upon the premises benefited by an exception as may be necessary to comply with intent of this Chapter and to protect the public interest, safety and/or general welfare.

148-220 VIOLATIONS AND PENALTIES

Any person, firm or corporation violating, causing or permitting the violation of any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, may be punishable by a fine of not less than ten dollars (\$10.00) nor more than one thousand dollars (\$1,000.00). If the violation is uncorrected at the time of the conviction, the court shall order the violator to abate or remedy the violation in compliance with the zoning ordinance, within a time period established by the court. Failure to remove or abate a zoning violation within the specified time period shall constitute a separate misdemeanor offense punishable by a fine of not less than ten dollars (\$10.00) nor more than one thousand dollars (\$1,000.00), and any such failure during any succeeding ten-day period shall constitute a separate misdemeanor offense for each ten-day period punishable by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand five hundred dollars (\$1,500.00).

148-230 PRIVATE CONTRACTS

This Chapter has no bearing on any private easement, covenant, agreement or restriction, nor is the responsibility of enforcing such private easement, covenant, agreement or restriction implied herein to any public official, unless otherwise required by this Chapter.

148-240 RECORD PLAT REVISIONS OR CHANGES

No change, erasure, correction or revision shall be made on any record plat, or on any accompanying documents, after approval has been endorsed in writing on the plat unless authorization for such changes has been granted in writing by the approving body or its authorized agent.

148-250 AMENDMENTS

The Town Council may amend this Chapter in whole or in part, provided that any such amendment shall either originate with or be submitted to the Planning Commission for recommendation, and further provided that no

Commented [WT14]: Not defined in this ordinance, so Code of Virginia definition applies

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Commented [AD15]: This is an amendment to a special exception, so not sure the designated agent applies here.

such amendment shall be adopted without a public hearing or joint public hearing having been held in accordance with Code of Virginia § 15.2-2204(A). The Planning Commission shall have up to sixty (60) days after referral by the Council to make a recommendation.

148-260 FILING

When this Chapter is adopted or amended, a certified copy of the ordinance and any and all amendments thereto shall be filed in the office of the Town Manager and Warren County Clerk of Court.

148-270 STORMWATER DRAINAGE FEES

(Reserved.)

ARTICLE 3 SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES FOR MAJOR SUBDIVISIONS

148-300 WHEN A MAJOR SUBDIVISION APPLICATION IS REQUIRED

The requirements of this article apply to all major subdivisions, as defined under Article 9 of this chapter, within the boundaries of the Town of Front Royal.

148-301 PRE-APPLICATION PROCEDURE

A pre-application consultation between the applicant and the designated agent Director is encouraged prior to the submission of any proposed subdivision. This is desirable to minimize development planning costs, to avoid misunderstanding or misinterpretation and to ensure compliance with the requirements of this Chapter. Representations made at pre-application meetings shall not be binding on the Town or the applicant.

148-305 SKETCH PLAN SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES

A. Sketch Plan Submission Procedures.

1. A sketch plan of the proposed major subdivision may be submitted prior to the preparation of engineered development plans. In such cases, a sketch plan shall be considered a submission for informal discussion and shall not constitute official submission of a plan to the Town. A sketch plan should be submitted to the designated agent in numbers sufficient for distribution to and/or review by appropriate Town departments. The sketch plan should be prepared in accordance with the detail requirements of Section 148-1005.
2. Additional information may be provided at the option of the applicant.

B. Sketch Plan Review Procedures.

1. The sketch plan shall be reviewed administratively by the appropriate Town departments, taking into consideration the requirements of the Subdivision and Land Development, Zoning and Tree Ordinances, the arrangement, location and width of streets, the topography of the land, existing and proposed trees, sewage disposal, water supply, drainage and stormwater control, lot sizes and lot arrangement, further development of adjoining lands, the guidelines of the Town Comprehensive Plan and the requirements of other plans and ordinances as adopted by the Town. The advice of other officials or consultants may be sought in reviewing a sketch plan. Within one (1) week of receipt by the

Commented [WT16]: In accordance with changes found within 15.2-2259

Commented [AD17R16]: I don't think this is right. I think this is about an amendment to this chapter, which would be a regular legislative process, requiring PC and TC action.

Commented [WT18]: Case study examples: Harrisonburg -
https://library.municode.com/va/harrisonburg/codes/code_of_ordinances?nodeId=PTIITHCOGEOR_TIT6PUWO_CH5ST_UT_56-5-4STUTFE

Stormwater fees are part of their Public Works code and calculated based upon the impervious surface area of the property. Collected fees are then placed in a stormwater enterprise fund to acquire and maintain stormwater facilities

Commented [WT19R18]: Winchester -
https://library.municode.com/va/winchester/codes/zoning_and_subdivision_ordinance?nodeId=SUOR_S5GERE_S5-7FLCODR

No fee exacted but specific guidance on what the Administrator can require in terms of flood control and drainage

Commented [WT20R18]: Luray -
https://library.municode.com/va/luray/codes/code_of_ordinances?nodeId=PTIICO_APXBSU_ARTIVDESTSP_S407STDR

Same as above

Commented [WT21R18]: Recommended for removal

Commented [MA22]: Not sure this belongs here

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Commented [AD23]: 15.2-2259 is intended to move responsibility of site plan/POD review from Planning Commission to "designated agent." Though a staff member may be a designated agent of the director, that is a separate change. IMO we should keep "Director" as is throughout the document, knowing that another staff member could review and have the Director sign off. The changes need to be made to move review responsibility from the PC (or god forbid the TC) to the "designated agent."

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Commented [AD24]: In this case, sketch plan was always going to Director, not PC/TC.

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Director, the sketch plan submission shall be reviewed for completeness. If found complete, it shall be immediately forwarded to the appropriate Town departments for review.

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2. The reviewing departments shall have two (2) weeks for the review of the sketch plan and to provide written comments to the Director. The Director shall then contact the applicant and schedule a meeting to discuss any changes or modifications regarding any aspect of the plan that will be required for approval of future plan submissions. These discussions are informal and will not result in an official summary letter to the applicant, but are intended to serve as a guideline in the preparation of plans.

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148-310 PRELIMINARY PLAN SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES

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A Preliminary Plan is required for all proposed major subdivisions.

A. Preliminary Plan Application Procedures.

1. An applicant shall may submit a preliminary plan application form and checklist to the Director accompanied by plans in numbers determined sufficient for distribution to and review by the appropriate Town departments.

Commented [AD25]: Separate issue: 15.2-2259 A(3) states that "the designated agent shall not delay the official submission of any proposed plat, site plan, or plan of development by requiring pre-submission conferences, meetings, or reviews. Rather than removing this, which may indeed be helpful, I am changing shall to "may."

2. The application shall be accompanied by a nonrefundable filing fee in the amount set in the schedule of fees.

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3. In the event that a Special Use Permit approval is required for any element of the plan or any features therein, a Special Use Permit application shall be made in conjunction with the preliminary application. The Special Use Permit Application may be processed concurrently with the plan, but the SUP must be acted upon by the Planning Commission and approved by the Town Council following standard SUP procedures prior to any approval of the plan.

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- B. *Preliminary Plan Detail Requirements.* The preliminary plan shall indicate the proposed layout of the major subdivision including supplemental information and data required for the location of proposed lots, parcels, streets, storm drainage and public utilities. The preliminary plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by qualified professionals licensed as same in the Commonwealth of Virginia. The preliminary plan shall be prepared in accordance with the detail requirements of Section 148-1010.

Commented [AD26]: Removed, in accordance with the intent of 15.2-2259 A(3)

C. Supplemental Data to Accompany a Preliminary Plan.

1. Environmental impact statement.
2. Existing and proposed proffers, if applicable.

D. Preliminary Plan Review Procedures.

1. The Director shall determine whether the submitted preliminary plan application is complete, in accord with this Chapter. The Director must notify the applicant of any items that are required to make the application complete and eligible for official submission within ten (10) business days of submission. If an applicant submits an incomplete application, the number of days required for the Town to approve or deny a permit, in accordance with the Code of Virginia, Title 15.2, Chapter 22, will begin upon receipt of complete application. The date of official acceptance of the plan by the Town shall be noted on the application.

Commented [AD27]: Talk to LK. This should probably be removed or lessened, as this could cut into the # of days permitted for the approval.

Commented [AD28R27]: On second thought, clarifying that if applicant does not submit complete application, the counting will not begin.

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2. Review by the Planning Commission Designated Agent.

- a. The commission-designated agent shall take action on the preliminary plan any proposed plat within 60 days within sixty (60) days of submission of a complete application, and any plat, site plan, or plan of development within 40 days after it has been submitted for approval. However, if approval of a feature of features of the plat, site plan, or plan of development by a state agency

Commented [WT29]: In accordance with 15.2-2259 (<https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2259/>)

Commented [AD30R29]: Yes, these are the necessary changes.

Commented [AD31R29]: @Will Teeple, AICP let's discuss my interpretations.

or authority is necessary, the designated agent shall forward the plat, site plan, or plan of development to the appropriate agency or authority for review within five days, which shall lengthen the time for approval in accordance with State Code Section 15.2-2259 (3)(b).

However, if approval of a feature or features of the preliminary plan by a state agency or public authority is necessary, the commission designated agent shall have thirty (30) additional days to take action, for a total of sixty-nine (69) days from the submission date of a complete application. When submission to a state agency or public authority is necessary, the commission or agent shall forward the preliminary plan to the appropriate state agency or agencies for review within ten (10) business days of receipt of such preliminary plan. The state agency or agencies are then required by the Virginia Code to provide review comments within forty-five (45) days of receipt of the preliminary plan. Upon receipt of the approvals from all state agencies, the designated agent commission shall act upon the preliminary plan within thirty-five (35) days.

- b. The designated agent Director shall communicate the decision of the commission to the applicant, in writing. If the plan is disapproved, the reasons for disapproval shall be specifically enumerated and the modifications or corrections necessary to permit approval shall be identified.
- c. If the commission or agent fails to approve or disapprove the preliminary plan plat within sixty-nine (69) days after it has been officially submitted for approval or the site plan or plan of development within forty (40) days, the subdivider after ten (10) days' written notice to the commission, or agent, may petition the circuit court for the locality in which the land involved, or the major part thereof, is located to enter an order with respect thereto as it deems proper, which may include directing approval of the plat.
- d. The Planning Commission Designated Agent shall deny approval of a preliminary plat if it is not in conformance with the Town Code, and all deficiencies on the plan must be addressed by the applicant prior to approval. The Commission agent may approve the plan if there are only minor deficiencies to correct by writing the deficiencies on the plan with a note that states: "These deficiencies will be corrected on the major subdivision submission".
- e. Approval of a preliminary plan does not constitute acceptance of a plat for recording and does not constitute a guaranty of approval of the final subdivision plat.
- f. When a preliminary plan has been approved or approved subject to any conditions, no subsequent changes or amendments in the Town Code shall be applied to adversely affect the right of the applicant to commence and to complete final plan approval. If such Chapter is amended after preliminary approval of such plan, the plan will be rendered nonconforming and will be subject to all requirements placed on such nonconformities.
- g. Preliminary plan approval does not authorize the construction of improvements within the subdivision development plan.
- h. Once a preliminary plan is approved, it shall be valid for a period of five (5) years, provided the subdivider: (i) submits a final subdivision plat for all or a portion of the property within one (1) year of such approval or such longer period as may be prescribed by the commission designated agent, and (ii) thereafter diligently pursues approval of the final subdivision plat. "Diligent pursuit of approval" means that the subdivider has incurred extensive obligations or substantial expenses relating to the submitted final subdivision plat or modifications thereto. However, no sooner than three (3) years following such preliminary plan approval, and upon ninety (90) days' written notice by certified mail to the subdivider, the commission or other agent may revoke such approval upon a specific finding of facts that the subdivider has not diligently pursued approval of the final subdivision plat.

Commented [WT32]: In accordance with 15.2-2260 (<https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2260/>)

Commented [WT33]: Needs another pair of eyes in regard to the timeline

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148-315 MAJOR SUBDIVISION SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES

A subdivision development plan and a final subdivision plat are required for all major subdivisions. The applicant shall have not more than thirty-six (36), months after receiving official notification of approval of the preliminary plan, to file with the Town an application for major subdivision, in ~~accord~~ **accordance** with this Chapter. Failure to do so shall make the preliminary plan approval null and void. However, a specific extension of time may be granted by the Town Council upon written request by the applicant. As a condition of any time extension, the Town Council may impose any new or revised standards or regulations adopted since the original preliminary plan approval.

A. *Subdivision Development Plan and Final Subdivision Plat Submission Procedures.*

1. An applicant shall submit a major subdivision application form and checklists for a subdivision development plan and final subdivision plat to the Director along with sufficient number of the plan and plat for distribution to and review by the appropriate Town departments.
2. The application shall be accompanied by a nonrefundable filing fee in the amount set in the schedule of fees.
3. In the event that a Special Use Permit approval is required for any element of the plan or any features therein, a special use permit application shall be made in conjunction with the preliminary application. The special use permit application may be processed concurrently with the plan, but the SUP must be acted upon by the Planning Commission and approved by the Town Council following standard SUP procedures prior to any approval of the plan.

B. *Subdivision Development Plan and Final Subdivision Plat Detail Requirements.*

1. The subdivision development plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by qualified professionals licensed as same in the Commonwealth of Virginia. The Subdivision Development Plan shall be prepared in accordance with the requirements of Section 148-1015.
2. The final subdivision plat shall be prepared by a land surveyor or professional engineer licensed by the Commonwealth of Virginia and shall conform to the Standards for Plats of the Virginia State Library Board (17 VAC 15-60-10 et seq.). The final plat shall be prepared in accordance with the detail requirements of Section 148-1035.

C. *Supplemental Data to accompany Major Subdivision Submission.*

1. A landscape plan showing all trees proposed to be removed, all trees proposed to be protected, and all trees proposed to be added. The landscape plan shall be ~~drawn~~ **drawn** in accordance to the requirements of this Chapter and Chapter 156 (Tree Ordinance).
2. An erosion and sedimentation control plan in accord with the Virginia Erosion and Sediment Control Handbook.
3. A complete list of any and all proffers or other conditions that may be attached to the property through a zoning map amendment, conditional zoning, or special exception approval, in their entirety.
4. A detailed estimate, prepared by a certified professional engineer, of the costs for construction and installation of the following on-site and off-site improvements:
 - a. Any street, curb, gutter, sidewalk, bicycle trail, drainage facility, sewer utility lines and infrastructure, water utility lines and infrastructure, required trees and shrubs, or other improvement dedicated for public use, located within the subdivision and maintained by the Town, the Commonwealth of Virginia, or any other public agency.

- b. Any other site-related improvements required by this Ordinance or the Town Code for vehicular ingress and egress, including traffic signalization and control, public streets, structures necessary to ensure stability of critical slopes and for stormwater management facilities.
 - c. Cost estimates must be based on per-unit quantities and costs for respective public or private-sector construction within the Northern Shenandoah Valley. The estimates must include a reasonable allowance for estimated administrative costs, inflation during the anticipated time of project completion (determined using the most recent yearly rate of change in the Consumer Price Index or Construction Cost Index), and potential damage to existing roads, utilities or other public facilities.
 - d. Each cost estimate must include an estimated time frame for phasing and completion of all improvements.
 - e. Cost estimates, including estimated time frames, will be reviewed and approved, approved with revisions, or disapproved by the Director of ~~Environmental Services~~Public Works.
5. All offers of dedication and covenants governing the reservation and maintenance of undedicated open space, which shall bear the certificate of approval of the Town Attorney as to their legal sufficiency.
 6. Such deed restrictions as may be imposed upon the property as a condition of sale, together with a statement of any restrictions previously imposed which may affect the title to the land being subdivided.
 7. In the event that public water and/or sewer is not available to the site to be subdivided, a certificate of appropriate approval of the State Health Department for the water supply and/or sanitary sewage disposal system(s) for a proposed subdivision. If individual on-site sewage disposal systems are to be used, the applicant shall submit Health Department tentative approval of each lot in the subdivision as having a suitable site for a septic system at the state lot size. This shall be done on a lot-by-lot basis. This tentative approval does not guarantee the issuance of a permit for a septic system when construction occurs. The State Health Department reserves the right to withdraw any tentative approval at the time a permit for a septic system is applied for.

D. *Major Subdivision Review Procedures.*

1. The Director shall determine whether the submitted plats, plans and application is complete, in accord with this Chapter. The Director must notify the applicant of any items that are required to make the application complete and eligible for official submission within ten (10) business days of submission. The date of official acceptance of the plan by the Town shall be noted on the application.
2. Review by the ~~Planning Commission~~Designated Agent.
 - a. The ~~commission agent~~ shall take action on the subdivision plat and plan within ~~forty-six (46)~~ days of submission. However, if approval of a feature or features of the proposed subdivision by a state agency or public authority is necessary, the ~~commission or~~ agent shall forward the plan and plat to the appropriate state agency or agencies for review within ~~ten-five (15)~~ business days of receipt of such plats and plans. Upon receipt of the approvals from all state agencies, the ~~commission agent~~ shall act upon the subdivision within ~~thirty-five (35)~~ days.
 - b. The Director shall communicate the decision of the commission to the applicant, in writing. If the plan or plat is disapproved, the reasons for disapproval shall be specifically

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enumerated and the modifications or corrections necessary to permit approval shall be identified.

- c. The ~~commission or~~ agent shall act on any subdivision plan and plat that it has previously disapproved within ~~forty-sixty (4060) days~~ after the plan has been modified, corrected and resubmitted for approval.
- d. The ~~Planning Commission~~ ~~Designated a~~ Agent shall review the plan and plat and shall ensure that all requirements and standards of the Town Code have been met and that any appropriate changes from the preliminary plan have been made.
- e. If the review is favorable, the ~~Planning Commission~~ ~~Designated a~~ Agent shall authorize the Director to endorse the plan ~~and plat on behalf of the Planning Commission~~ and to forward it to the Town Council for consideration.
- f. ~~An appropriate number of paper prints of the plan and plat and the requisite performance bond shall be forwarded to the Town Council.~~
- g. If the plan and plat is not approved by the ~~Planning Commission~~ ~~Designated a~~ Agent, the reasons for such disapproval shall be transmitted, in writing, to the applicant ~~and shall be sent to the Town Council for review.~~

3.

~~a. The recommendation of the Planning Commission~~ ~~Designated Agent~~ shall be forwarded to the Town Council for action within ~~forty-sixty (4060) days~~ from the date of action by the ~~Commission agent~~ unless an extension is requested by the applicant. If the ~~commission or other agent~~ fails to approve or disapprove the plat within ~~forty-sixty (4060) days~~ after it has been officially submitted for approval, or within ~~thirty-fourty five (3045) days~~ after it has been officially resubmitted after a previous disapproval or within ~~thirty-five (35) days~~ of receipt of any agency response pursuant to Subsection B, the subdivider, after ten (10) days' written notice to the ~~commission, or agent,~~ may petition the circuit court for the Town of Front Royal in which the land involved, or the major part thereof, is located, to decide whether the plat should or should not be approved. The court shall give the petition priority on the civil docket, hear the matter expeditiously in accordance with the procedures prescribed in Code of Virginia Article 2-8.01-644 et seq. of Chapter 25 of Title 8.01, and make and enter an order with respect thereto as it deems proper, which may include directing approval of the plat.

~~b. A performance guaranty, cash or other bond to insure the satisfactory installation of improvements as required shall be submitted before the major subdivision application is placed on the Town Council agenda for consideration and approval.~~

~~c. The Town Council shall not approve any plans and plats until such plans and plats comply with the Town Code and until all required modifications are made. If disapproved, the Council shall return the plan and plat to the applicant with the deficiencies indicated thereon.~~

~~d. If approved by the Town Council, the plan and plat will be signed by the Director of Finance and the Town Council, with the date of action.~~

4. *Revisions to subdivision design.*

- a. Any revisions to an approved subdivision development plan must be approved by the ~~Town~~ ~~designated agent~~ in accord with the procedures of this Chapter prior to making design changes in the field. ~~The extent of the revisions will determine whether or not the revision can be approved administratively or requires re-review by the Planning Commission~~ ~~Designated Agent~~ and ~~is approved by the Town Council.~~

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E. *As-built Survey Required.*

1. An as-built plan is required for all subdivision development plans. The as-built drawing shall be prepared in accordance with the detail requirements of Section 148-1025.

148-320 FINAL SUBDIVISION PLAT RECORDATION REQUIREMENTS

The purpose of good subdivision and site development design is to create a functional and attractive development, to minimize adverse impacts and to ensure that a project will be an asset to the general welfare of the community. To promote this purpose, all subdivision and site development plans shall conform to the standard herein, which are designed to result in a well-planned community without adding unnecessarily to the cost of development.

A. *Conditions and Procedures.*

1. After approval by the ~~Town Council~~ designated agent and with all endorsements indicated on the final subdivision plat, the owner or agent shall record the approved plat in the office of the Clerk of the Circuit Court within six (6) months following the date of approval and shall immediately provide a copy of the recorded plat to the Director. No subdivision plat may be legally recorded unless it bears the required Town endorsements.
2. Such plat shall be filed and recorded in the office of the Clerk of the Circuit Court where deeds are admitted to record for the lands contained in the plat and indexed in the general index of deeds under the names of the owners of lands signing such plat and under the name of the subdivision.
3. Any plat not recorded within six (6) months after approval by the Town ~~Council~~ shall be considered void, and such approval shall be considered withdrawn. The Director shall mark the plat "VOID" and return it to the applicant.
4. The recordation of such plat shall operate to transfer in fee simple to the Town such portion of the premises platted and set apart for streets, alleys or other public use and to transfer to the Town any easement indicated on such plat to create a public right of passage over the same; but nothing contained in this section shall affect any right of a subdivider of land heretofore validly reserved.

- B. *Termination of Easements.* Upon the recording of an approved plat in the office of the Clerk of the Circuit Court, all rights-of-way, easements or other interest of the Town in the land included on the plat, except as shown thereon, shall be terminated and extinguished. However, an interest acquired by the Town by condemnation or by purchase for valuable consideration and evidenced by a separate instrument of record shall not be affected thereby.

- C. *Phased Recordation.* Where a developer bonds and records a final subdivision plat that is a section of an approved phasing plan, unless otherwise approved by the commission, the developer shall have the right to record the remaining sections shown on the preliminary plan for a period of five (5) years from the recordation date of the first section. Final subdivision plats and plans shall comply with engineering and construction standards and all requirements of the Town Code in effect at the time each remaining section is recorded.

- D. *Re-subdivision.* If a plat is to be revised or amended after recordation, it is a re-subdivision; amendments prior to recordation are revisions to an approved plat.

148-325 WAIVER OF PLAN AND PLAT SUBMISSION REQUIREMENTS

In accord with Section 148-210.G. of this Chapter, the Director may make a written determination to waive any submission requirement set forth in this Chapter, if such requirement is not relevant to the review and evaluation as to whether the proposed development meets the requirements of this Chapter.

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ARTICLE 4 SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES FOR MINOR SUBDIVISIONS

148-400 WHEN A MINOR SUBDIVISION APPLICATION IS REQUIRED

The requirements of this article apply to all minor subdivisions, as defined under Article 9 of this chapter, within the boundaries of the Town of Front Royal.

148-401 PRE-APPLICATION PROCEDURE

A pre-application consultation between the applicant and the Director is encouraged prior to the submission of any proposed subdivision. This is desirable to minimize development planning costs, to avoid misunderstanding or misinterpretation and to ensure compliance with the requirements of this Chapter. Representations made at pre-application meetings shall not be binding on the Town or the applicant.

148-405 SKETCH PLAN SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES

A. *Sketch Plan Submission Procedures.*

1. A sketch plan of the proposed minor subdivision may be submitted prior to the preparation of engineered plans. In such cases, a sketch plan shall be considered a submission for informal discussion and shall not constitute official submission of a plan to the Town. A sketch plan shall be submitted to the Director in numbers sufficient for distribution to and/or review by appropriate Town departments. The sketch plan shall be prepared in accordance with the detail requirements of Section 148-1005.
2. Additional information may be provided at the option of the applicant.

B. *Sketch Plan Review Procedures.*

1. The sketch plan shall be reviewed administratively by the appropriate Town departments, taking into consideration the requirements of the Subdivision and Zoning Ordinances, the arrangement, location and width of streets, the topography of the land, sewage disposal, water supply, drainage and stormwater control, lot sizes and lot arrangement, further development of adjoining lands, the guidelines of the Town Comprehensive Plan and the requirements of other plans and ordinances as adopted by the Town. The advice of other officials or consultants may be sought in reviewing a sketch plan. Within one (1) week of receipt by the Director, the sketch plan submission shall be reviewed for completeness. If found complete, it shall be immediately forwarded to the appropriate Town departments for review.
2. The reviewing departments shall have two (2) weeks for the review of the sketch plan and to provide written comments to the Director. The Director shall then contact the applicant and schedule a meeting to discuss any changes or modifications regarding any aspect of the plan that will be required for approval of future plan submissions. These discussions are informal and will not result in an official summary letter to the applicant, but are intended to serve as a guideline in the preparation of plans.

148-415 MINOR SUBDIVISION SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES

A final subdivision plat is required for all minor subdivisions.

A. *Minor Subdivision Submission Procedures.*

1. An applicant shall submit a minor subdivision application form and checklist for a final subdivision plat to the Director along with sufficient number of the plat for distribution to and review by the appropriate Town departments.
2. The application shall be accompanied by a nonrefundable filing fee in the amount set in the schedule of fees.

B. *Final Subdivision Plat Detail Requirements.* The final subdivision plat shall be prepared by a land surveyor or professional engineer licensed by the Commonwealth of Virginia and shall conform to the Standards for Plats of the Virginia State Library Board (17 VAC 15-60-10 et seq.). The Final Plat shall be prepared in accordance with the detail requirements of Section 148-1035.

C. *Supplemental Data to Accompany Minor Subdivision Submission.*

1. An overlot grading plan or generalized development plan as determined by the Director. The overlot grading plan and/or generalized development plan shall be prepared in accord with the requirements contained herein.
2. In the event that public water and/or sewer is not available to the site to be subdivided, a certificate of appropriate approval of the State Health Department for the water supply and/or sanitary sewage disposal system(s) for a proposed subdivision. If individual on-site sewage disposal systems are to be used, the applicant shall submit Health Department tentative approval of each lot in the subdivision as having a suitable site for a septic system at the state lot size. This shall be done on a lot-by-lot basis. This tentative approval does not guarantee the issuance of a permit for a septic system when construction occurs. The State Health Department reserves the right to withdraw any tentative approval at the time a permit for a septic system is applied for.

D. *Minor Subdivision Review Procedures.*

1. The Director shall determine whether the submitted plat, plan and application is complete, in accord with this Chapter. The Director must notify the applicant of any items that are required to make the application complete and eligible for official submission within ten (10) business days of submission. The date of official acceptance of the application by the Town shall be noted on the application.
2. After official acceptance of the application, the Director shall submit the plat and plan to the appropriate Town departments for review. The Director shall take action on the application within ~~forty-sixty (4060)~~ days of submission. However, if approval of a feature or features of the proposed subdivision by a state agency or public authority is necessary, the ~~commission or agent~~ shall forward the plat and plan to the appropriate state agency or agencies for review within ten (10) business days of receipt of such plat or plan. Upon receipt of the approvals from all state agencies, the Director shall act upon the submission within ~~thirty-five (305)~~ days.
3. The Director shall not approve any plan or plat until such plan or plat comply with the Town Code and until all required modifications are made. The Director shall notify the applicant if the plan or plat is disapproved, in writing, and the reasons for disapproval shall be specifically enumerated and the modifications or corrections necessary for approval shall be identified.

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4. The Director shall act on any subdivision plan and plat that was previously disapproved within ~~forty-five~~^{thirty} (30⁴⁵) days after the plan has been modified, corrected and resubmitted for approval.
 5. If the review is favorable, the plat will be signed by the Director, the Director of Finance and the Town Manager, with the date of action.
- E. *As-built Survey Required.*
1. An as-built plan is required for all minor subdivision overlot grading plans. The as-built drawing shall be prepared in accordance with the detail requirements of Section 148-1025.

148-420 FINAL SUBDIVISION PLAT RECORDATION REQUIREMENTS

A. *Conditions and Procedures.*

1. After approval by the Director and with all endorsements indicated on the final subdivision plat, the owner or agent shall record the approved plat in the office of the Clerk of the Circuit Court within six (6) months following the date of approval and shall immediately provide a copy of the recorded plat to the Director. No subdivision plat may be legally recorded unless it bears the required Town endorsements.
2. Such plat shall be filed and recorded in the office of the Clerk of the Circuit Court where deeds are admitted to record for the lands contained in the plat and indexed in the general index of deeds under the names of the owners of lands signing such plat and under the name of the subdivision.
3. Any plat not recorded within six (6) months after approval by the Director shall be considered void, and such approval shall be considered withdrawn. The Director shall mark the plat "VOID" and return it to the applicant.
4. The recordation of such plat shall operate to transfer in fee simple to the Town such portion of the premises platted and set apart for streets, alleys or other public use and to transfer to the Town any easement indicated on such plat to create a public right of passage over the same; but nothing contained in this section shall affect any right of a subdivider of land heretofore validly reserved.

B. *Termination of Easements.*

1. Upon the recording of an approved plat in the office of the Clerk of the Circuit Court, all rights-of-way, easements or other interest of the Town in the land included on the plat, except as shown thereon, shall be terminated and extinguished. However, an interest acquired by the Town by condemnation or by purchase for valuable consideration and evidenced by a separate instrument of record shall not be affected thereby.

C. (Intentionally left blank.)

D. *Re-subdivision.*

1. If a plat is to be revised or amended after recordation, it is a re-subdivision; amendments prior to recordation are revisions to an approved plat.

148-425 WAIVER OF PLAN AND PLAT SUBMISSION REQUIREMENTS

In accord with Section 148-210.G. of this Chapter, the Director may make a written determination to waive any submission requirement set forth in this Chapter, if such requirement is not relevant to the review and evaluation as to whether the proposed development meets the requirements of this Chapter.

ARTICLE 5 SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES FOR MAJOR SITE DEVELOPMENT PLANS

148-500 WHEN A MAJOR SITE DEVELOPMENT PLAN IS REQUIRED

The requirements of this article apply to development, as defined by Article 9 of this Chapter, within the Town of Front Royal. Certain types of development may submit a minor site development plan in lieu of a major site development plan, as specified under the definition for a minor site development plan in Article 9 of this Chapter.

148-501 PRE-APPLICATION PROCEDURE

A pre-application consultation between the applicant and the Director is encouraged prior to the submission of any proposed major site development plan. This is desirable to minimize development planning costs, to avoid misunderstanding or misinterpretation and to ensure compliance with the requirements of this Chapter. Representations made at pre-application meetings shall not be binding on the Town or the applicant.

148-505 SKETCH PLAN SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES

A. *Sketch Plan Submission Procedures.*

1. A sketch plan of the proposed major site development may be submitted prior to the preparation of engineered site development plans. In such cases, a sketch plan shall be considered a submission for informal discussion and shall not constitute official submission of a plan to the Town. A sketch plan shall be submitted to the Director in numbers sufficient for distribution to and/or review by appropriate Town departments. The sketch plan shall be prepared in accordance with the detail requirements of Section 148-1005.
2. Additional information may be provided at the option of the applicant.

B. *Sketch Plan Review Procedures.*

1. The sketch plan shall be reviewed administratively by the appropriate Town departments, taking into consideration the requirements of the Subdivision and Land Development and Zoning Ordinances, the arrangement, location and width of streets, the topography of the land, sewage disposal, water supply, drainage and stormwater control, lot sizes and lot arrangement, further development of adjoining lands, the guidelines of the Town Comprehensive Plan and the requirements of other plans and ordinances as adopted by the Town. The advice of other officials or consultants may be sought in reviewing a sketch plan. Within one (1) week of receipt by the Director, the sketch plan submission shall be reviewed for completeness. If found complete, it shall be immediately forwarded to the appropriate Town departments for review.
2. The reviewing departments shall have two (2) weeks for the review of the sketch plan and to provide written comments to the Director. The Director shall then contact the applicant and schedule a meeting to discuss any changes or modifications regarding any aspect of the plan that will be required for approval of future plan submissions. These discussions are informal and will not result in an official summary letter to the applicant, but are intended to serve as a guideline in the preparation of plans.

148-515 MAJOR SITE DEVELOPMENT PLAN SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES

A. *Major Site Development Plan Submission Procedures.*

1. An applicant shall submit a major site development plan application form and checklist to the Director accompanied by plans in numbers determined sufficient for distribution to and review by the appropriate Town departments and any necessary State or Federal agencies.
2. The application shall be accompanied by a nonrefundable filing fee in the amount set in the schedule of fees.
3. In the event that Special Use Permit approval is required for any element of the plan or any features therein, a Special Use Permit application shall be made in conjunction with the site development plan submission. The Special Use Permit Application may be processed concurrently with the plan, but the SUP must be acted upon by the Planning Commission and approved by the Town Council following standard SUP procedures prior to any approval of the plan.

B. *Major Site Development Plan Detail Requirements.*

1. The major site development plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by qualified professionals licensed as same in the Commonwealth of Virginia. The site development plan shall be prepared in accordance with the detail requirements of Section 148-1020.

C. *Supplemental Data to Accompany Major Site Development Plan Submission.*

1. A landscape plan showing the location, number, species and size of plant materials, in accord with this Chapter. The plan shall show existing trees that are to be preserved on the site and the methods employed for ensuring preservation during the construction process.
2. An erosion and sedimentation control plan in accord with the Virginia Erosion and Sediment Control Handbook.
3. A complete list of any and all proffers or other conditions that may be attached to the property through a zoning map amendment, conditional zoning, or special exception approval, in their entirety.
4. A detailed estimate, prepared by a certified professional engineer, of the costs for construction and installation of the following on-site and off-site improvements:
 - a. Any street, curb, gutter, sidewalk, bicycle trail, drainage or sewerage system, waterline as part of a public system or other improvement dedicated for public use, located within the subdivision and maintained by the Town, the Commonwealth, or any other public agency.
 - b. Any other site-related improvements required by this Ordinance or the Town Code for vehicular ingress and egress, including traffic signalization and control, public streets, structures necessary to ensure stability of critical slopes and for stormwater management facilities.
 - c. Cost estimates must be based on per-unit quantities and costs for respective public or private-sector construction within the Northern Shenandoah Valley. The estimates must include a reasonable allowance for estimated administrative costs, inflation during the anticipated time of project completion (determined using the most recent yearly rate of change in the Consumer Price Index or Construction Cost Index), and potential damage to existing roads, utilities or other public facilities.
 - d. Each cost estimate must include an estimated time frame for phasing and completion of all improvements.

e. Cost estimates, including estimated time frames, will be reviewed and approved, approved with revisions, or disapproved by the Director of ~~Environmental Services~~Public Works.

5. All offers of dedication and covenants governing the reservation and maintenance of undedicated open space, which shall bear the certificate of approval of the Town Attorney as to their legal sufficiency.
6. If applicable, a record plat showing any proposed easements and/or rights-of-way to be dedicated for utility or street construction.

D. *Major Site Development Plan Review Procedures.*

1. The Director shall determine whether the submitted plan and application is complete, in accord with this Chapter. The Director must notify the applicant of any items that are required to make the application complete and eligible for official submission within ten (10) business days of submission. The date of official acceptance of the plan by the Town shall be noted on the application.
2. Review by the Planning Commission Designated Agent.
 - a. The commission agent shall take action on the major site development plan within forty sixty ~~(4060)~~ days of submission. However, if approval of a feature or features of the plan by a state agency or public authority is necessary, the ~~commission or~~ agent shall forward the plat and plan to the appropriate state agency or agencies for review within ten (10) business days of receipt of such plan. Upon receipt of the approvals from all state agencies, the commission agent shall act upon the site development plan within thirty ~~five~~ (305) days.
 - b. The Director designated agent shall communicate the decision of the commission to the applicant, in writing. If the plan is disapproved, the reasons for disapproval shall be specifically enumerated and the modifications or corrections necessary to permit approval shall be identified.
 - c. The ~~commission or~~ agent shall act on any major site development plan that it has previously disapproved within forty fivethirty ~~(3045)~~ days after the plan has been modified, corrected and resubmitted for approval.
 - d. The Planning Commission Designated Agent shall review the plan and shall ensure that all requirements and standards of the Town Code have been met and that any appropriate changes from the preliminary plan have been made.
 - e. An approved major site development plan shall be valid for a period of not less than five (5) years from the date of approval thereof or for such longer period as the local planning commission or other agent may, at the time of approval, determine to be reasonable, taking into consideration the size and phasing of the proposed development. A site plan shall be deemed final once it has been reviewed and approved by the locality if the only requirement remaining to be satisfied in order to obtain a building permit is the posting of any bonds and escrows. Upon application of ~~the~~ the subdivider or developer filed prior to expiration of a recorded plat or final site plan, ~~the~~ the local planning commission or other the agent may grant one (1) or more extensions of such approval for additional periods as the commission or other agent may, at the time the extension is granted, determine to be reasonable, taking into consideration the size and phasing of the proposed development, the laws, ordinances and regulations in effect at the time of the request for an extension.
 - f. Where a site development plan has been approved, or approved subject to any conditions, prior to the effective date of an ordinance, no subsequent changes or amendments to the Zoning Ordinance and Subdivision Ordinance or other governing ordinance or plan shall be applied to adversely affect the right of the applicant to commence and to complete any item for which the site development plan approval was granted.

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3. *Revisions to site development plan design.*

- a. Any revisions to an approved site development plan must be approved by the Town in accord with the procedures of this Chapter prior to making design changes in the field. The extent of the revisions will determine whether or not the revision can be approved administratively or requires re-review by the [Planning Commission designated agent](#).

E. *As-built Plan Required.*

1. An as-built plan is required for all major site development plans. The as-built drawing shall be prepared in accordance with the detail requirements of Section 148-1025.

148-525 WAIVER OF PLAN AND PLAT SUBMISSION REQUIREMENTS

In accord with Section 148-210.G. of this Chapter, the Director may make a written determination to waive any submission requirement set forth in this Chapter, if such requirement is not relevant to the review and evaluation as to whether the proposed development meets the requirements of this Chapter.

ARTICLE 6 SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES FOR MINOR SITE DEVELOPMENT PLANS

148-600 WHEN MINOR SITE DEVELOPMENT PLAN IS REQUIRED

The requirements of this article apply to the specific types of development specified under the definition of a minor site development plan, found under Article 9 of this Chapter.

148-601 PRE-APPLICATION PROCEDURE

A pre-application consultation between the applicant and the Director is encouraged prior to the submission of any proposed site development plan. This is desirable to minimize development planning costs, to avoid misunderstanding or misinterpretation and to ensure compliance with the requirements of this Chapter. Representations made at pre-application meetings shall not be binding on the Town or the applicant.

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148-605 SKETCH PLAN SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES

A. *Sketch Plan Submission Procedures.*

1. A sketch plan of the proposed minor site development may be submitted prior to the preparation of engineered site development plans. In such cases, a sketch plan shall be considered a submission for informal discussion and shall not constitute official submission of a plan to the Town. A sketch plan shall be submitted to the Director in numbers sufficient for distribution to and/or review by appropriate Town departments. The sketch plan shall be prepared in accordance with the detail requirements of Section 148-1005.
2. Additional information may be provided at the option of the applicant.

B. *Sketch Plan Review Procedures.*

1. The sketch plan shall be reviewed administratively by the appropriate Town departments, taking into consideration the requirements of the Subdivision and Zoning Ordinances, the arrangement, location and width of streets, the topography of the land, sewage disposal, water supply, drainage and stormwater control, lot sizes and lot arrangement, further development of adjoining lands, the

guidelines of the Town Comprehensive Plan and the requirements of other plans and ordinances as adopted by the Town. The advice of other officials or consultants may be sought in reviewing a sketch plan. Within one (1) week of receipt by the Director, the sketch plan submission shall be reviewed for completeness. If found complete, it shall be immediately forwarded to the appropriate Town departments for review.

2. The reviewing departments shall have two (2) weeks for the review of the sketch plan and to provide written comments to the Director. The Director shall then contact the applicant and schedule a meeting to discuss any changes or modifications regarding any aspect of the plan that will be required for approval of future plan submissions. These discussions are informal and will not result in an official summary letter to the applicant, but are intended to serve as a guideline in the preparation of plans.

148-615 MINOR SITE DEVELOPMENT PLAN SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES

A. *Minor Site Development Plan Submission Procedures.*

1. An applicant shall submit a minor site development plan application form and checklist to the Director accompanied by plans in numbers determined sufficient for distribution to and review by the appropriate Town departments and any necessary State or Federal agencies.
2. The application shall be accompanied by a nonrefundable filing fee in the amount set in the schedule of fees.

B. *Minor Site Development Plan Detail Requirements.* The Minor Site development plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by qualified professionals licensed as same in the Commonwealth of Virginia. The site development plan shall be prepared in accordance with the detail requirements of Section 148-1020.

C. *Supplemental Data to Accompany Minor Site Development Plan Submission.* An Erosion and Sedimentation Control Plan in accord with the Virginia Erosion and Sediment Control Handbook, if applicable.

D. *Minor Site Development Plan Review Procedures.*

1. The Director shall determine whether the submitted plan and application is complete, in accord with this Chapter. The Director must notify the applicant of any items that are required to make the application complete and eligible for official submission within ten (10) business days of submission. The date of official acceptance of the plan by the Town shall be noted on the application.
2. After official acceptance of the application, the Director shall submit the plat and plan to the appropriate town departments for review. The Director shall take action on the application within ~~sixty-fourty (4060)~~ days of submission. However, if approval of a feature or features of the proposed subdivision by a state agency or public authority is necessary, the commission or agent shall forward the plat and plan to the appropriate state agency or agencies for review within ten (10) business days of receipt of such plat or plan. Upon receipt of the approvals from all state agencies, the Director shall act upon the submission within ~~thirty-five~~~~thirty (3035)~~ days.
3. Except where a phased project has been approved by the Town, a minor site development plan shall be void if a building permit for all aspects of the approved plan is not obtained within one (1) year of final approval.
4. The Director shall not approve any plan until such plan complies with the Town Code and until all required modifications are made. The Director shall notify the applicant if the plan is

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disapproved, in writing, and the reasons for disapproval shall be specifically enumerated and the modifications or corrections necessary for approval shall be identified.

5. The Director shall act on any plan that was previously disapproved within ~~forty-five~~thirty (30) days after the plan has been modified, corrected and resubmitted for approval.
 6. If the review is favorable, the plan will be signed by the Director, the Director of Finance and the Town Manager, with the date of action.
- E. *As-built Plan Required.* An as-built plan is required for all minor site development plans, except where waived in accordance with this Chapter. The as-built drawing shall be prepared in accordance with the detail requirements of Section 148-1025.

148-625 WAIVER OF PLAN AND PLAT SUBMISSION REQUIREMENTS

In accord with Section 148-210.G. of this Chapter, the Director may make a written determination to waive any submission requirement set forth in this Chapter, if such requirement is not relevant to the review and evaluation as to whether the proposed development meets the requirements of this Chapter.

ARTICLE 7 SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES FOR BOUNDARY ADJUSTMENTS AND LOT CONSOLIDATIONS

148-700 WHEN A BOUNDARY ADJUSTMENT OR LOT CONSOLIDATION APPLICATION IS REQUIRED

The requirements of this article apply to any boundary adjustment or lot consolidation, as defined by Article 9 of this Chapter, within the Town of Front Royal. A plat of survey that does not involve any changes to the existing lot or parcel is not subject to the requirements of this article.

148-701 PRE-APPLICATION PROCEDURE

A pre-application consultation between the applicant and the Director is encouraged prior to the submission of any proposed boundary adjustment or lot consolidation. This is desirable to avoid misunderstanding or misinterpretation and to ensure compliance with the requirements of this Chapter. Representations made at pre-application meetings shall not be binding on the Town or the applicant.

148-715 BOUNDARY ADJUSTMENT AND LOT CONSOLIDATION SUBMISSION REQUIREMENTS AND REVIEW PROCEDURES

A boundary adjustment/lot consolidation plat is required for all boundary adjustments or lot consolidations.

- A. *Boundary Adjustment and Lot Consolidation Submission Procedures.*
 1. An applicant shall submit a boundary adjustment/lot consolidation application form and checklist to the Director along with sufficient number of copies of the plat for distribution to and review by the appropriate Town departments.
 2. The application shall be accompanied by a nonrefundable filing fee in the amount set in the schedule of fees.

- B. *Boundary Adjustment and Lot Consolidation Plat Detail Requirements.* The boundary adjustment/lot consolidation plat shall be prepared by a land surveyor or professional engineer licensed by the Commonwealth of Virginia and shall conform to the Standards for Plats of the Virginia State Library Board (17 VAC 15-60-10 et seq.). The Final Plat shall be prepared in accordance with the detail requirements of Section 148-1040.
- C. *(Intentionally left blank.)*
- D. *Boundary Adjustment and Lot Consolidation Review Procedures.*
1. The Director shall determine whether the submitted plat application is complete, in accord with this Chapter. The Director must notify the applicant of any items that are required to make the application complete and eligible for official submission within ten (10) business days of submission. The date of official acceptance of the application by the Town shall be noted on the application.
 2. After official acceptance of the application, the Director shall submit the plat to the appropriate Town departments for review. The Director shall take action on the application within ~~sixty-fourty (4060)~~ days of submission. However, if approval of a feature or features of the proposed boundary adjustment or lot consolidation by a state agency or public authority is necessary, the director shall forward the plat to the appropriate state agency or agencies for review within ten (10) business days of receipt of such plat. Upon receipt of the approvals from all state agencies, the Director shall act upon the submission within ~~thirty-five~~thirty (3035) days.
 3. The Director shall not approve the plat until such plat complies with the Town Code and until all required modifications are made. The Director shall notify the applicant if the plat is disapproved, in writing, and the reasons for disapproval shall be specifically enumerated and the modifications or corrections necessary for approval shall be identified.
 4. The Director shall act on any boundary adjustment or lot consolidation plat that was previously disapproved within ~~forty-five~~thirty (3045) days after the plat has been modified, corrected and resubmitted for approval.
 5. If the review is favorable, the plat will be signed by the Director, the Director of Finance and the Town Manager, with the date of action.

Commented [WT44]: In accordance with 15.2-2259 (<https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2259/>)

148-720 FINAL PLAT RECORDATION REQUIREMENTS

- A. *Conditions and Procedures.*
1. After approval by the Director and with all endorsements indicated on the final plat, the owner or agent shall record the approved plat in the office of the Clerk of the Circuit Court within six (6) months following the date of approval and shall immediately provide a copy of the recorded plat to the Director. No plat may be legally recorded unless it bears the required Town endorsements.
 2. Such plat shall be filed and recorded in the office of the Clerk of the Circuit Court where deeds are admitted to record for the lands contained in the plat and indexed in the general index of deeds under the names of the owners of lands signing such plat.
 3. Any plat not recorded within six (6) months after approval by the Director shall be considered void, and such approval shall be considered withdrawn. The Director shall mark the plat "VOID" and return it to the applicant.

148-725 WAIVER OF PLAN AND PLAT SUBMISSION REQUIREMENTS

In accord with Section 148-210.G. of this Chapter, the Director may make a written determination to waive any submission requirement set forth in this Chapter, if such requirement is not relevant to the review and evaluation as to whether the proposed development meets the requirements of this Chapter.

ARTICLE 8 DESIGN STANDARDS

148-800 GENERAL PROVISIONS

- A. The design standards and regulations of this Article shall be required as minimum requirements for all subdivisions and developments within the Town.
- B. Except where this Article specifically requires or allows for the approval of alternative design standards, the design standards of the Virginia Department of Transportation, Virginia Department of Conservation and Recreation, Virginia Department of Environmental Protection shall be required for all subdivisions and development.
- C. The requirements of this Article incorporate by reference the additional minimum standards of the document *Construction Standards and Specifications Manual (2005)*, or as may be amended in the future after review by the Planning Commission and approval by Town Council.

148-810 DEVELOPER'S RESPONSIBILITY

Nothing herein shall be construed to create an obligation on the Town to design, engineer, or construct any of the improvements required by this article. Costs associated with new subdivisions or developments shall be responsibility of the developer or subdivider unless otherwise approved by Town Council.

148-820 STREET DESIGN

- A. *General Standards.*
 - 1. All streets shall be dedicated to the Town of Front Royal for public use, and shall be designed, engineered and constructed to the public street design standards found within the [Virginia Department of Transportation \(VDOT\) Road Design Manual, and associated Appendixes, Construction Standards and Specifications Manual.](#)
 - 2. Proposed subdivisions and developments shall coordinate the location, width and other street improvements associated with proposed streets with existing and planned streets that are contiguous to, or within, the property boundaries. For the purposes of this subsection, planned streets shall include streets, rights-of-way, and street improvements designated as a future road improvement by the Town of Front Royal Comprehensive Plan. Town Council, upon recommendation by the [Planning Commission designated agent](#), may waive this requirement where the continuation of the planned, existing or platted street will create adverse traffic impacts.
 - a. The proposed street system shall extend existing or planned streets at the same width or larger, but at not less than the required minimum width as specified in this chapter. Where possible, a new intersection into an existing street shall align with an existing street intersection on the opposite side of such street.

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- b. Streets that are designated for continuation to adjoining properties shall be designed and constructed to the property line with a temporary cul-de-sac turnaround, or other temporary turn-around approved by the Town.
 - 3. Whenever a property proposed for subdivision or development abuts or contains an existing public street that does not meet the minimum right-of-way width requirements of this article, additional right-of-way shall be provided on each side of the existing public street abutting the proposed subdivision or development so the minimum right-of-way width requirement is ultimately achieved.
 - 4. On-site road improvements shall be required for new subdivisions or developments based on the requirements of this chapter.
 - 5. In accordance with Code of Virginia § 15.2-2242.A.4, the Town may accept certain off-site road improvements that are reasonable and necessary, the need for which is substantially generated and reasonably required by the construction or improvement of the subdivision or development. Off-site road improvements may include, but are not limited to, acceleration and deceleration lanes, a center turning lane, a parallel service drive, reverse frontage lots, and/or the dedication of additional right-of-way.
 - 6. In accordance with Code of Virginia § 15.2-2242.A.4, the Town may develop reasonable provisions for the advancement of payments for, or construction of, reasonable and necessary road improvements located outside the property limits of the land owned or controlled by the subdivider or development, the need for which is substantially generated and reasonably required by the construction or improvement.
 - 7. Private lanes or streets shall not be authorized for any new or existing subdivision or development without approval by the Town in accordance with Section 148-820.N.
- B. *Partial and Half Streets.* Partial and half street sections of the required full street section may be authorized for subdivisions or developments with multiple phases, provided that the partial or half sections are sufficient to handle anticipated traffic volumes for the stage of development. Where possible, the dedication and grading of the full section shall be provided during the engineering and construction processes for the partial or half street sections.
- C. *Street Hierarchy and Right-of-Way Widths.*
- 1. Streets shall be classified in the following street hierarchy system based on the characteristics and magnitude of the service to be provided:
 - a. *Local Streets.* Local Streets, also referred to as Subdivision Streets, shall include streets that function to serve as direct access to adjacent land for relatively short distances. Streets shall be classified as a Local Streets when the projected traffic volume is less than two thousand (2,000) average daily trips (ADT), except when appropriate to designate as Collector or Arterial Streets based on the *Virginia Department of Transportation (VDOT) Road Design Manual*, and associated Appendixes.
 - b. *Collector Streets.* Collector Streets shall include streets that function to serve as a distributor to arterial streets for relatively medium distances. Streets shall be classified as Collector Streets in accordance with the *Virginia Department of Transportation (VDOT) Road Design Manual*, and associated Appendixes.
 - c. *Arterial Streets.* Arterial streets shall include streets that function to serve as a main travel route between designations for relatively long distances. Streets shall be classified as Arterial Streets in accordance with the *Virginia Department of Transportation (VDOT) Road Design Manual*, and associated Appendixes.

Commented [WT45]: This is in accordance with the 2005 VDOT Subdivision Road Design manual, however it appears that this subdivision ordinance may be missing the definitions for each road class

2. The minimum width of a proposed street right-of-way, measured from lot line to lot line on either side of such right-of-way, shall be as shown in the table below for Alleys and Local Streets. Arterial All sStreets shall comply with the minimum right-of-way requirements found within the *Virginia Department of Transportation Road Design Manual*, and associated appendixes. Alleyways shall be no less than a minimum of 20' in right-of-way width, and no road to be accepted into maintenance and ownership by the Virginia Department of Transportation (VDOT) shall be less than 30' in right-of-way width.

	Minimum right-of-way width ¹
Alleys	20'
Local Streets	
Up to 1,000 ADT	50'
1,001 to 2,000 ADT	55'
Collector Streets	65'

Commented [MA46]: VDOT never maintains alleys, whatever the Town wishes for this width

Commented [MA47]: VDOT's tables are Up to 2,000 and 2,001 to 4,000

Commented [MA48]: Does Front Royal want these changed?

Commented [MA49R48]: The minimum is 30'

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¹The minimum right-of-way may be reduced when against the curb.

3. Additional right-of-way and pavement widths may be required by the Town Council for major subdivisions, the Director for minor subdivisions, or the Planning Commission for developments other than subdivisions, for the purpose of promoting the public safety and convenience or to provide parking in commercial and industrial areas and in areas of high-density residential development.
- D. *Construction of Public Streets And Alleys.* The following specifications shall apply for public streets within the corporate limits of Front Royal, unless otherwise approved by special exception.
- The roadway shall be graded to the full width of the right-of-way.
 - Where deemed necessary, the Town may require boring tests, and if warranted, require the replacement of unsuitable subgrade materials and compaction certification of the subgrade and base materials for new streets.
 - When grading slopes steeper than fifty percent (50%) or where erosive soils are present, the Town may require on-site inspection of grading activities to be inspected by a geotechnical engineer provided by the developer.
 - The subdivider or developer shall be required to warrant and repair any deficiencies in the constructed roadway for one (1) year following the date of acceptance by the Town Council.
 - The roadway shall meet the geometric design requirements of VDOT, unless otherwise specified within this Chapter.
 - The minimum design standards of the following table shall be required for all Local Streets, Collector Streets and Alleys. Arterial Streets design standards shall comply with the *Virginia Department of Transportation Road Design Manual*, and associated Appendixes.

	Pavement Width (SM-9.5A) ²	Base Course Width (BM 25.0) ³	Sub Base Width (21-B) ⁴	Surface Course Pavement Depth (SM-9.5A)	Base Course Depth (BM 25.0)	Sub Base Depth (21-B) ⁵
Alleys	12'	N/A	N/A	1 1/2 "	N/A	6"

Local Streets:						
Up to 2,000 ADT	36'	36'	39'	1 1/2 "	3"	6"
Collector Streets⁶:	40'	40'	43'	1 1/2 "	3"	6"

² Pavement is from face-of-curb to face-of-curb, which includes the gutter pan.

³ Base Course is from face-of-curb to face-of-curb, which includes the gutter pan.

⁴ Sub Base extends beyond the widths of pavement, base course and curb and gutter.

⁵ Stone, gravel or other satisfactory material approved by the Town.

⁶ These minimum standards for Collector Streets shall be increased where required by the standards for Collector Streets found within the *Virginia Department of Transportation Road Design Manual*, but shall not be less.

E. *Restriction of Access.*

1. The following streets are hereby classified as limited-access by the Town:
 - a. West Strasburg Road from its intersection with North Shenandoah Avenue westward to the Town boundary.
 - b. John Marshall Highway from its intersection with South Commerce Avenue eastward to the Town boundary.
 - c. Leach Run Parkway from its intersection with Happy Creek Road southward to John Marshall Highway (upon completion).
 - d. Reserved.
 - e. Reserved.
2. Streets that are classified as limited-access streets shall only be accessed from connections with public streets or approved private streets.
3. Whenever a proposed subdivision contains or is adjacent to a limited-access highway, provisions shall be made for either a service drive or for reverse frontage lots. A service drive shall be approximately parallel to such right-of-way at a distance suitable for an appropriate use of the land between such highway and the proposed subdivision. Such distances shall be determined with due consideration of the minimum distance required for ingress and egress to the main thoroughfare. The right-of-way of any highway or street projected across any railroad or limited access highway shall be of adequate width to provide for the cuts or fills required for any future separation of grades.

F. *Approach Angle and Alignment.* All streets shall approach each other at an angle of not less than eighty degrees (80°) unless the Town shall approve a lesser angle of approach for reasons of terrain, contour or the matching of existing patterns. Street jogs with a centerline offset of less than one hundred twenty-five (125) feet shall not be permitted. Town Council may authorize a waiver to this requirement if no other reasonable alternative exists and it is demonstrated that the deviation will not result significant traffic problems.

G. *Street Grades.* Centerline grades for all streets shall not exceed ten percent (10%). The grade of cul-de-sac turnarounds shall not exceed four percent (4%).

H. *Cul-de-sac and Dead-end Streets.*

1. Dead-end streets shall be prohibited, except for the circumstances listed below:

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(Supp. No. 2, Update 3)

- a. Dead-end streets shall be permitted as stubs to permit future extensions to adjoining land or future phases of a subdivision or development.
- b. Dead end streets shall be permitted where, in the opinion of the [Planning Commission designated agent](#), interconnectivity is not desired or feasible for the proposed type of subdivision or development.
2. In such instances when dead-end streets are allowed, they shall be designed as cul-de-sac streets.
3. Cul-de-sac streets shall not exceed eight hundred (800) feet in length and shall not furnish access to more than twenty-five (25) individual lots.
4. Any dead-end street intended for access to an adjoining property or created as the result of stage development shall be provided with a temporary all-weather turnaround within the subdivision. Such dead-end streets shall not exceed eight hundred (800) feet in length from the centerline of the nearest road intersection.
5. Except for permanently designed cul-de-sac streets, the turnaround right-of-way of dead-end streets shall be placed adjacent to the tract on the subdivision stage boundary with sufficient additional width provided along the boundary line to permit extension of the street at full width.
6. All dead-end and cul-de-sac streets shall be provided at the closed end with a turnaround whose minimum radius shall be forty (40) feet.
7. Drainage of cul-de-sac streets shall preferably be designed towards the open end. If drainage is designed toward the closed end, adequate provisions shall be made for runoff to be carried away. Drainage easements shall be required where necessary.
- I. *Street Signs and Names.* All procedures and standards for street signs and names shall be consistent with the E-911 Addressing System which shall supersede the standards below in the case of any conflict between them.
 1. At each street intersection within or adjacent to the proposed subdivision, one (1) street identification sign of a design approved by the Town shall be installed by and at the expense of the subdivider/developer. Such signs shall comply with VDOT's street sign requirements and the Federal Highway Administration's Manual on Uniform Traffic Control Devices.
 2. Street names shall be subject to the approval of the Town Council. Names of existing streets shall not be changed except by approval of the Council.
 3. A proposed street which is in alignment with an existing named street shall bear the name of the existing street.
 4. The name of a proposed street shall not duplicate that of an existing street in the Town or in the postal district. The use of the following suffixes: street, road, avenue, boulevard, drive, way, place, court, lane, etc., shall constitute a duplication if used after a name which is repeated after the suffix. Names which may be confused with existing street names shall be avoided.
 5. Should development on a street occur prior to acceptance of the street for maintenance by the Town, temporary signs indicating "Not Maintained by the Town" with the proposed street name shall be installed by the developer.

J. *Alleys.*

1. Alleys may be permitted where vehicular access to lots is restricted from public streets.
2. Dead-end alleys shall be avoided. In the event that this proves impractical, dead-end alleys shall terminate with an all-weather circular turnaround having a minimum radius of forty (40) feet.

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3. Alley intersections and sharp changes in alley alignment shall be avoided.
 4. Notwithstanding the requirements of Section 148-870.A.20, rear load parking access from alleys is permitted as a means of meeting required parking standards.
- K. *Driveways.* Private driveways on corner lots shall be located at least forty (40) feet from the curblin intersection.
- L. *Railroad Crossings.* The creation of new at-grade railroad crossings shall be prohibited, unless it involves the closure of one (1) or more existing at-grade railroad crossings and improves overall safety. Existing at-grade railroad crossings shall not be used as the primary means of access to a subdivision or development. Where existing at-grade railroad crossings are utilized as secondary access or are included within the streets of a subdivision, the applicant shall be responsible for providing flashing lights and short-arm gates, unless the railroad track is no longer active.
- M. *Subdivision and Development Entrances.*
1. All means of access and entrances to a subdivision or development shall conform to all applicable standards of the Town and the Virginia Department of Transportation.
 2. Where feasible, each subdivision shall provide two (2) connections to an existing public street where the traffic generated from the subdivision or development is between five hundred one (501) and two thousand (2,000) ADT's. Three (3) road connections shall be provided where the traffic generated exceeds two thousand (2,000) ADT's. In situations where only one (1) street connection is physically possible, due to topography, site distance or road frontage, the single entrance street shall be a four-lane restricted access divided road with a length of not less than two hundred fifty (250) feet for roads generating two thousand one (2,001) or more ADTs, and for every additional five hundred (500) ADTs generated, the four-lane divided street standard shall be extended an additional one hundred (100) feet. Streets with two thousand (2,000) or fewer ADTs shall not be subject to this requirement.
- N. *Private Streets, Common Driveways, and Common Parking Courts.*
1. *Private Streets.*
 - a. Subdivisions on existing private non-dedicated private streets are permitted only as follows:
 - [1] Each lot parcel shall be a minimum of two (2) acres in area, regardless of zoning district classification.
 - [2] Each lot and residual parcel shall abut with a minimum frontage of one hundred seventy-five (175) feet on the existing private non-dedicated street, regardless of zoning district classification.
 - [3] The existing private non-dedicated street shall have been platted and recorded in the office of the Clerk of the Circuit Court of Warren County on or before December 31, 1978.
 - [4] The existing non-dedicated street shall have a platted width of at least fifty (50) feet at the date of subdivision approval. For subdivisions along Locust Dale Road, the width can be approved as thirty (30) feet for that section at or near John Marshall Highway.
 - [5] As of the date of subdivision approval, the platted non-dedicated street shall be in existence and shall conform to minimum design standards of a graded road surface of at least twenty (20) feet wide, suitable for motor vehicle traffic, topped with gravel, crushed stone or other all-weather material, and provided with such culverts and ditching as are necessary to carry water runoff and to prevent erosion of the road surface. Conformity with said minimum design standards shall be subject to the inspection and approval by the Town.

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- [6] In order to facilitate future dedication of street right-of-way, the applicant shall dedicate to the Town of Front Royal such additional footage along the street frontage of each lot and residual parcel necessary to increase the street width to that required for the type of street in accordance with this Chapter, for that portion of the street abutting the subdivided lots and residual parcels. The applicant shall further dedicate to the Town of Front Royal any and all property interest he may possess in the existing non-dedicated street as a whole.
- [7] All the aforesaid dedications shall be contingent and shall not take effect until such time as the entire street or a contiguous portion connected to a public street is improved to the then-current state standards for public streets, is subsequently dedicated to the Town of Front Royal by all parties in interest and is accepted by the Town of Front Royal as a public street. Until such time, the Town of Front Royal shall be under no obligation to maintain or improve any portion of the aforesaid street, and the Town shall not be liable for any acts or omissions associated with the street and its use.
- [8] The private street does not exceed a total of twenty-five (25) dwelling units or lots.
- b. Subdivisions on new non-dedicated private streets may be permitted upon the approval of a special exception by Town Council. In addition to the general submission requirements for special exceptions, as prescribed under this Chapter, requests for private streets through the special exception process shall include a concept plan prepared by a Virginia registered architect, landscape architect, land surveyor or engineer with seal and signature affixed to the plan. The plan shall be approximately to scale and clearly show the following:
- [1] Location map showing existing zoning and ownership of property and adjacent land;
- [2] Identification of principal site features, including topography, steep slopes, wetlands, wooded areas, archeological areas, floodplains, and other features of significant public interest;
- [3] Relationship of the proposal with surrounding utilities and public facilities to serve the tract at the ultimate proposed densities;
- [4] A general layout of the road system within the project, including all proposed private and public streets and land uses;
- [5] Detailed information on the proposed private street standards with an explanation of the reason for any modifications to the public street standards of this Chapter;
- [6] A description of the provisions for continued maintenance of any proposed private street;
- [7] A description of the private deed restrictions that will be provided as notice to future property owners regarding the limitations of service available on any proposed private streets.
2. Subdivisions abutting approved non-dedicated common driveways may be permitted as follows:
- a. Each lot shall be a minimum of two (2) acres in area.
- b. Each approved common driveway shall serve no more than six (6) single-family residential lots.
- c. Common driveways permitted under this section shall have a minimum pavement width of twenty (20) feet and a minimum public easement width of forty (40) feet and shall not serve a through function. All common driveways shall be designed and constructed in accordance with the construction standards of the Town of Front Royal and shall be sufficient to accommodate emergency vehicle travel.

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- d. No common driveway shall be located within twenty-five (25) feet of any abutting property which is not directly served by the common driveway.
 - e. Each common driveway shall connect with a publicly dedicated street or highway. No common driveway shall be more than six hundred (600) feet in length.
 - f. Each common driveway shall be clearly identified as such. A single sign, not to exceed two (2) square feet in area, shall be posted at the entrance, displaying only the words "Private Drive" and the addresses of the residences utilizing the common driveway. Addresses shall be assigned to the dedicated public street to which the common driveway connects.
 - g. In addition to all other requirements for a final subdivision plat, any subdivision containing a common driveway shall include a statement on the final subdivision plat acknowledging a perpetual private maintenance responsibility and guaranteeing public utility and emergency vehicle access.
3. Subdivisions with townhouse or duplex lots abutting common parking courts shall be permitted as follows:
- a. Each approved common parking court shall serve no more than a total of thirty-six (36) dwelling unit lots, one (1) dwelling unit per lot. A minimum of two and one-half (2½) parking spaces are required for each Townhouse unit.
 - b. No common parking court shall serve a through function, and all common parking shall be designed in accordance with the provisions of Section 148-870.D.
 - c. Common parking areas shall be adequately landscaped to ensure the residential character of the development, as provided in Section 148-870.
 - d. No common parking court shall be located within twenty-five (25) feet of any abutting lot which is not directly served by the common parking court.
 - e. Each common parking court driveway shall be clearly identified as a private roadway. A single sign, not to exceed two (2) square feet in area, shall be posted at the entrance, displaying only the words "Private Drive" and the addresses of the residences utilizing the parking court. Addresses shall be assigned to the dedicated public street to which the common driveway connects.
 - f. In addition to all other requirements for a final subdivision plat, any subdivision containing a common parking court shall include a statement on the final subdivision plat acknowledging a perpetual private maintenance responsibility and guaranteeing public utility and emergency vehicle access.
 - g. Townhouses and/or duplexes that utilize common parking courts shall include a minimum of four (4) acres.

148-830 BLOCKS AND LOTS

- A. *Block Length.* Blocks should not normally exceed one thousand two hundred (1,200) feet, unless unusual circumstances justify greater length. Within blocks of over eight hundred (800) feet in length, the Town may require dedication of a ten-foot right-of-way at or near the middle of the block for a public pedestrian walkway connecting adjacent streets or other public and private areas.
- B. *Block Depth.* Blocks should be wide enough to allow two (2) tiers of lots of appropriate depth, except where an interior street parallels an arterial street or highway or where topographical conditions or the parcel size make a double tier impractical. In these cases, the Town Council may approve a single tier of lots.

C. *Lot Shape.*

1. Lots shall not contain peculiarly shaped elongations, unusable for normal building purposes, solely to provide necessary square footage.
2. The depth of residential lots shall not be less than one (1) nor more than four (4) times the width, unless the Town approves other configurations because of unusual topographical conditions.

D. *Lot Location.*

1. The municipal boundary of the Town shall not cut through lots but rather shall act as lot lines for property adjacent to either side of the municipal boundary.
2. Each lot shall abut a street dedicated to and accepted by the Town of Front Royal, and each lot shall have a minimum frontage of fifty (50) feet on said street, or other minimum as specified in Chapter 175, Zoning, of the Municipal Town Code.

E. *Remnants.* All remnants shall be added to adjacent land within a subdivision.

F. *Residual Parcels.* For the purpose of this ordinance a residual parcel shall be treated as a typical lot.

148-840 UTILITIES AND SERVICES

A. *Sanitary Sewer.*

1. The applicant shall provide the type of sanitary sewer disposal facility determined by the Town and the Health Department to be consistent with existing physical, geographical and geological conditions. Connection to the Town sanitary sewer system shall be required, if available. Where Town sanitary sewers are not available, the following types of sanitary sewage disposal facilities shall be employed in order of desirability:
 - a. Community sanitary sewage system with a temporary sewage treatment plant.
 - b. On-lot disposal with septic tank and drain field.
2. Sanitary sewers, whether public, community or on-site, shall be designed and constructed in strict accordance with standards of the Department of Health, Department of Environmental Quality, and/or the Town's construction standards, as applicable.
3. The sewer system and all service lines and appurtenances shall be installed in accordance with the plans and profiles prepared for the subdivision or development by a professional engineer or licensed land surveyor and shall be approved by the Town Engineer.
4. Sanitary sewers shall not be used to carry stormwater.
5. Where the Town determines that the public sanitary sewage collection system is accessible to the subdivision, the connections from the system to the property line of each lot in the subdivision shall be made at the time that the general site improvements are installed. Sewer connection shall be installed by the applicant at his own expense in accordance with the design and specifications of the Town of Front Royal and shall be inspected by the Town in each instance.
6. Sanitary sewer lines installed in accordance with plans and specifications approved by the Town shall be required improvements in each subdivision or development to serve each subdivision lot, except where the Town sewer lines are not available to the subdivision site and septic tanks are to be employed. The applicant at the time the sanitary sewer lines are constructed shall, at his own expense, install connections from the sanitary sewage lines to the property line of each lot in the subdivision not then served by the existing public sanitary sewage system.

7. The subdivider or developer shall be required to warrant and repair any deficiencies in the constructed sanitary sewer system for one (1) year following the date of acceptance by the Town Council.

B. On-site Sewage Disposal.

1. Subdivisions and developments that propose an on-site sewage disposal system shall provide the results of a soil evaluation from an Authorized On-site Soil Evaluator (AOSE) at the time of preliminary plan submittal.
2. No plat shall be approved for a subdivision or development where septic tanks are to be used, unless a tentative approval from the Health Department is received stating that all lots have a suitable site for a septic tank system.

C. Water Supply.

1. Complete water main line systems installed in accordance with plans and specifications approved by the Town shall be required improvements in each subdivision or development to serve each subdivision, except where Town water lines are not available to the site and individual wells are to be used. Where determined feasible by the Town, water lines serving any cul-de-sac or other dead-end street exceeding three hundred (300) feet in length shall be connected back in a loop to the water distribution system. A blowoff valve assembly shall be installed at the end of all temporary dead-end streets, where no permanent fire hydrant is installed or where no loop back into the water distribution system is provided, for the purpose of periodic flushing of the water mains. Such systems shall furnish an adequate supply of water to each lot and shall have adequate main sizes and fire hydrants located and installed in accordance with specifications of the Town of Front Royal. A copy of the preliminary approval of such system by the appropriate public agency or utility company shall be submitted with the final plat.
2. The water system and all service lines and appurtenances, except the water meter, shall be installed in accordance with the plans prepared for the subdivision or development by a professional engineer or licensed land surveyor and shall be approved by the Town Engineer.
3. In instances where Town water is not available to the subdivision site, the Town may require the applicant to provide his own community water system in accordance with plans and specifications approved by the Town and the State Department of Health. Agreements may be required as to the ownership and maintenance of private community water systems. A copy of the approval of such system by the appropriate public agency or utility company shall be submitted with the final plat.
4. Where the Town water system is accessible to the subdivision site, the connections from the system to the property line of each lot in the subdivision not served by Town water shall be made at the time the general site improvements are installed. The water connections shall be installed by the applicant at his own expense in accordance with the design and specifications of the Town of Front Royal and shall be inspected by the Town in each instance.
5. Where individual wells or other on-site water supply systems are to be utilized, each lot so served shall be of such size and shape to allow safe location of the water source, in accordance with Health Department requirements.
6. The subdivider or developer shall be required to warrant and repair any deficiencies in the constructed water service system for one (1) year following the date of acceptance by the Town Council.

D. Stormwater Management.

1. Storm drainage facilities: adequacy, size and capacity.
 - a. Stormwater management facilities designed and installed for subdivisions and developments shall have the hydraulic characteristics necessary to accommodate the expected flow of

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stormwater from a given watershed or portion thereof for a specified duration and intensity of rainfall, as stated in Subsection 2 shown below. Determination of flooding and channel erosion impacts to receiving streams due to land development projects shall be measured at each point of discharge from the development project and such determination shall include any runoff from the balance of the watershed which also contributes to that point of discharge.

b. Stormwater management facilities shall be designed to:

- [1] Account for both on-site and off-site stormwater;
- [2] Honor natural drainage divides;
- [3] Convey stormwater to a stream, water channel, natural drainageway or existing facility;
- [4] Discharge stormwater into an existing facility of sufficient capacity to receive the same; and
- [5] Not increase stormwater flow so as to create the potential for an increased hazard to downstream landowners.

c. In determining the size and capacity of an adequate stormwater drainage system design, the applicant shall take into account the characteristics and location of the subdivision or development in the watershed or affected portions thereof. The design shall not adversely affect adjacent or neighboring properties.

2. The method used for determining the specified design storms and determining pre-development and post-development runoff rates shall comply with the current standards and guidelines of the Department of Conservation and Recreation (DCR)-Virginia Department of Environmental Quality (DEQ).

3. *Off-site stormwater management.* The following minimum criteria shall apply to protect waterways and property downstream from erosion due to increases in the volume, velocity and peak flow rate of stormwater runoff resulting from new subdivision and development activities.

a. Concentrated stormwater runoff leaving a subdivision or development site must be discharged directly into a well-defined natural or man-made receiving channel or pipe. If there is no well-defined receiving channel or pipe, one must be constructed to convey stormwater to the nearest adequate channel. Increased volumes of unconcentrated sheet flows which will cause erosive action or sedimentation on adjacent properties shall be diverted to a stable outlet or detention facility. Adequacy of channel design shall be verified by the Town.

b. Each stormwater management/Best Management Practices (BMP's) plan shall require that peak rate and velocity of runoff be controlled and that land and receiving waterways which are downstream from the land development be protected from stormwater runoff damage, as provided herein:

- [1] To protect downstream properties and receiving waterways from flooding, the ten-year post-development peak rate of runoff from the land development shall not exceed the ten-year predevelopment peak rate of runoff.
- [2] To protect downstream properties and receiving waterways from channel erosion, the two-year post-development peak rate and velocity of runoff from the land development shall not exceed the two-year pre-development peak rate and velocity of runoff.
- [3] If the land development is in a watershed for which a hydrologic and/or hydraulic study has been conducted or a stormwater model developed, the Town Engineer may modify the requirements of paragraphs 1) and 2) so that runoff from the land development is controlled in accordance with the findings in the study or model, or to prevent adverse watershed stormflow timing, channel degradation, and/or localized flooding problems.

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- [4] In addition to the requirements of paragraphs 1) and 2), the Town Engineer may require that the plan include additional measures to address damaging conditions to downstream properties and receiving waterways caused by the land development.
- [5] Pre-development and post-development runoff rates determined using methods consistent with the requirements identified in the current Virginia Department of Environmental Quality (DEQ) Department of Conservation and Recreation (DCR) Stormwater regulations and guidelines.
- c. In the event that any existing off-site receiving channel is to be employed for subdivision or development runoff but said channel does not conform to the requirements of this chapter, the applicant shall:
- [1] Obtain permission from downstream property owners and improve the receiving channel so as to bring it into compliance. Such drainage improvements shall extend downstream until an adequate channel section is reached.
 - [2] Develop a site design that will not cause an increase in the existing predevelopment peak runoff rate for ten-year storms. Such a design may be accomplished by enhancing the stormwater infiltration capacity of the site or by providing on-site stormwater detention measures. The estimation of pre-development and post-development peak runoff rates shall be verified by engineering calculations submitted to the Town.
 - [3] Provide a combination of channel improvement, stormwater detention or other measures satisfactory to the Town designed to prevent overflow and to prevent channel erosion.
- d. All channel improvements or modifications shall comply with applicable laws and regulations. Modifications to flowing waterways shall be performed in accordance with Best Management Practices for Hydrologic Modifications, Virginia State Water Control Board Planning Bulletin 319, 1979, or as may be subsequently amended.
4. Drainage easements and fencing.
- a. Where a subdivision or development is traversed by a watercourse, drainageway, channel or stream, the Town shall be granted a drainage easement, conforming to the line of such watercourse, drainageway, channel or stream, of such width as required under Section 148-840.E, to preserve the unimpeded flow of natural drainage or such additional width as may be necessary to provide for the widening, deepening, relocation, improvement or protection of the watercourse and drainage facilities.
 - b. All stormwater outlet pipes installed on residential lots shall extend to a point beyond the buildable area of the lot.
 - c. Dedicated drainage easements shall be granted to the Town for all stormwater management facilities. Fencing of stormwater drainage facilities designed to retain or detain runoff may be required by the Town for facilities exceeding twenty-five percent (25%) side slopes or water depth of three (3) or more feet. When fencing is required, a fifteen-foot wide gate shall be installed at the access point to the facility.
 - d. All stormwater drainage systems that depend on off-site channels or conveyances shall secure an easement for the channel to an adequate public facility designed to receive stormwater runoff, and shall include any necessary improvements required for adequate conveyance of stormwater runoff to the nearest public facility, be it a ditch, sewer or pond.
 - e. All designs for stormwater management facilities shall be reviewed by the Town Engineer to verify compliance of the requirements within this Chapter.

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E. *Utility Easements.*

1. Utility easements with a minimum width of ten (10) feet for underground electric facilities and twenty (20) feet for overhead electric facilities shall be dedicated to the Town for all electrical facilities and appurtenances intended to service subdivisions or developments. Easements for water, sanitary sewer, and stormwater facilities shall be dedicated to the Town with the following minimum widths:

TABLE 148-840.E.

System	Minimum Easement Width
Open Stormwater Channel	20'
Up to 33" Pipe	20'
34"—48" Pipe	25'
49"—72" Pipe	30'

For trench depths greater than six (6) feet, the easement width shall be increased by an additional five (5) feet for each incremental five (5) feet of depth. Additional easement width shall be required for areas of steep slopes as required by the Town.

2. To the fullest extent possible, utility easements shall be centered on or adjacent to side lot lines.
3. Utility easements shall be granted in accordance with the specifications and requirements of appropriate utility companies.

F. *Underground Wiring and Electric Service.*

1. All electric, telephone, television and other communication lines, both main and service connections, installed for new subdivisions or developments shall be made by underground wiring. Underground wiring shall be contained within a single unified utility easement located under dedicated public rights-of-way or other public easements. The Town Council may waive the requirements of this section only where the substantial presence of rock at a depth of less than four (4) feet below finished grade makes the installation of underground wiring impractical.
2. The location of all lines and facilities shall be subject to the approval of the Town of Front Royal. Except where street crossings are required or where otherwise approved by the Town, underground electric lines shall not be located beneath street pavement, structures or other dedicated improvements and generally shall be located in a ten-foot easement parallel to the street right-of-way.
3. Lots and development that abut easements where there are existing overhead electric or communication distribution supply lines or service connections may be supplied with service from these overhead lines, but the service connections to these overhead lines shall be installed underground. In the event that existing overhead lines are replaced or relocated in the course of subdivision development, the replaced or relocated lines shall be installed underground, unless the section so replaced or relocated is, in the determination of the Town, too insignificant to make underground installation practical.
4. Where overhead lines are permitted by the Town, the placement and alignment of the poles shall be designed to lessen the visual impact of the overhead lines. Alignments and pole locations shall be carefully routed to avoid locations along horizons. The clearing of swaths through areas of trees shall be avoided by selective cutting and staggered alignment. Trees shall be planted in open areas and at key locations to minimize the alignment of poles.
5. The subdivider, developer or builder shall be responsible for all engineering, trenching, backfilling and installation and expense of conduits for the underground electric system. All conduits shall be fitted with pull wires for the electric conductor. Conductors shall be Schedule 40 PVC or such other quality

material as may be approved by the Town of Front Royal. Primary line conduits shall be three (3) inches in diameter. Secondary line conduits and conduits used for street crossings shall be four (4) inches in diameter. All work, design and material shall be in accordance with the conditions and specifications of the Department of Energy Services.

6. The Town of Front Royal shall supply and install electrical conductors and such transformers, pedestals and other electrical equipment, except as otherwise stated in this Chapter, as are necessary for the operation of the underground electric system. In the event that the conduit pull wire should break prior to or in the course of line installation, for whatever reason, it shall be the subdivider's sole responsibility to replace the pull wire within the conduit at his own expense.
7. The Town shall supply up to one-hundred twenty-five (125) feet of conductor for each lot from the pedestal to the electric meter located on the lot's structure. The builder of said structure shall pay for all conductor over one hundred twenty-five (125) feet. In addition, the builder shall be responsible for all trenching and backfilling and shall supply three-inch Schedule 40 PVC conduit with pull wire from the pedestal to the electric meter installed on the lot's structure, and schedule 80 PVC conduit for all sweeps. In addition, a slip joint shall be installed between the last elbow and the bottom of the meter base. Should the conduit pull wire break, the builder shall be responsible for replacement of the pull wire at his sole expense. All work and materials shall be in accordance with the conditions and specifications of the Department of Energy Services. Electric meters shall be furnished and installed by the Town of Front Royal.
8. All underground electric systems shall include connections for streetlight poles located every three hundred (300) feet along subdivision streets. Pole location shall be subject to the approval of the Town of Front Royal. Except where otherwise approved, pole location shall be staggered on the opposite sides of the street. No overhead wires shall be permitted to serve streetlights. All streetlights poles and bases shall be equipped with wiring and connections to the underground electric system and shall be in accordance with the conditions and specifications of the Department of Energy Services. Streetlight poles and bases shall be supplied and installed by the subdivider or developer at his sole expense, or, at the Town's option, streetlight poles and bases may be installed by the Town of Front Royal at the subdivider's or developer's expense. All pole lights shall be supplied and installed by the [subdivider or developer]. The Town retains complete discretion as to when and if streetlight poles and lights will be installed.
9. All materials and improvements comprising the underground electric system shall be dedicated to the Town of Front Royal and shall be depicted on the subdivision plat. A ten-foot-wide easement shall be dedicated to the Town of Front Royal for the operation, maintenance and repair of the underground electric system.

148-850 STREET IMPROVEMENTS

A. *Streetlights.*

1. Streetlights shall be installed to illuminate streets and other public highways. The installation of streetlights shall be accordance with the design standards and specifications of the Town.
2. Streetlights shall be spaced at a maximum of three hundred (300) feet apart and staggered on opposite sides of the street with one streetlight every six hundred (600) feet on both sides of the road.

B. *Monuments.*

1. *Street Monuments.* Street right-of-way lines shall be marked at all points of tangent and points of curve with a steel rod or iron pipe not less than one-half-inch in diameter and eighteen (18) inches in length.

Following completion of road work, a steel rod or iron pipe shall also be placed at street centerline, centerline points of tangent and points of curve and the radius point of each new cul-de-sac.

2. *Corner Monuments.* All lot corners shall be marked with a steel rod or iron pipe not less than one-half-inch in diameter and eighteen (18) inches in length, driven flush with the finished grade.
3. In the event a steel rod or iron pipe cannot be set due to an obstruction, an offset monument may be set or the point may be marked by drill hole, chisel mark or other method deemed appropriate by the professional and so documented to the Director.
4. All required monuments shall be installed by the subdivider or developer. Upon completion of subdivision streets, sewers and other improvements, the subdivider or developer shall make certain that all monuments required by the Town are clearly visible for inspection and use. All monuments must be set before any site or street improvements are accepted by the Town.

C. *Curb and Gutter.*

1. Curbs and gutter shall be required for the purpose of drainage and safety and delineation and protection of the pavement edge. Curbs and gutters and all driveway entrances shall meet the design standards found within the *Construction Standards and Specifications Manual*.
2. Curbs and gutters shall be installed by the applicant along both sides of all new streets. For all subdivisions involving the creation of an additional lot and for all new development projects, curb and gutter sections shall be required along the frontage of all existing public streets. This requirement may be waived upon approval by Town Council in residential areas where the majority of surrounding developed properties do not have curb and gutter, where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters. The Town Engineer may waive curb and gutter for development projects comprising of no more than two (2) dwelling units in residential areas along existing streets where curb and gutter is not currently present within two hundred (200) feet of the property.

D. *Sidewalks.*

1. Sidewalks shall be installed by the applicant along both sides of all new streets. For subdivisions involving the creation of an additional lot and for all new development projects, sidewalk sections shall be required along the frontage of all existing public streets. This requirement may be waived on vote of the Town Council in residential areas under the following conditions: where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters. The Town Engineer may waive sidewalks for development projects comprising of no more than two (2) dwelling units in residential areas along existing streets where sidewalks are not currently present within one thousand (1,000) feet of the property.
2. The minimum design standards for sidewalks shall be at least six (6) feet in width when abutting the curb, and a minimum of five (5) feet when offset from the curb. For the latter, the land located between the sidewalk and the curb shall comply with the *Construction Standards and Specifications*.
3. Sidewalks shall normally be parallel to the street. Nonparallel sidewalks and/or walkways may be approved by the Town in order to preserve topographical or natural features and to provide visual interest.
4. Where pedestrian walkway systems have been approved as an alternative to sidewalks, the walkways may be located away from streets, linking groups of dwelling units with other groups of dwelling units and/or facilities such as parking areas, recreational areas and activity centers. In reviewing the location of alternative walkway systems, the Town shall consider safety, practical accessibility and aesthetics.

5. Public easements shall be granted for sidewalks and/or walkways located outside the public right-of-way.
6. All sidewalks shall be constructed in accordance with Town standards and specifications and shall conform to the requirements of Code of Virginia § 15.2-2021, as amended, requiring curb ramps for the handicapped. Curb ramps shall comply with the Virginia Department of Transportation's Road and Bridge Standards.

E. *Solid Waste Disposal and Collection.*

1. All developments with exterior trash disposal or collection areas shall locate these sites so as to facilitate collection and minimize the negative impact on residents, neighboring properties and public rights-of-way.
2. All visible trash disposal or collection and storage areas shall be screened from neighboring residential properties and from public property, including streets, parks, sidewalks and other public areas.
3. Screening shall consist of a combination of landscaping and fencing. 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.
4. All permanently installed trash containers shall be adequately sized to handle the needs of the facility or development and shall be equipped with fitted lids to prevent odor leakage and infestation from rodents, insects, and other pests.

148-860 ENVIRONMENTAL IMPROVEMENTS

A. *Steep Slopes.*

1. *Purpose:* Steep slopes, when developed, require more grading and land disturbance than development of flat to gently sloping topographical areas. Therefore, the purpose of this section is to establish protective regulations to:
 - a. Minimize soil disturbance on steep or critical slopes due to the potential for erosion problems;
 - b. Assist in the prevention of soil erosion from stormwater runoff, protect downstream buildings and yards from water and soil intrusion, and protect the Town's surface and groundwater resources from siltation and contamination;
 - c. Promote stable building sites that prevent soil erosion and are structurally sound so as to maintain slope stability;
 - d. Promote accessibility for fire and rescue apparatus;
 - e. Maintain the visual and environmental resources that are part of the character of Front Royal; and
 - f. Land deemed by the Director to be generally unsuitable and land subject to flooding, slope instability, collapse, or other natural hazard shall not be subdivided either for residential occupancy, unless sufficient land is provided in each lot to provide a building site free from flood or other danger, or for such other uses as may increase danger to health, life, or property or aggravate erosion or flood hazard. In this connection the Director may require the subdivider to furnish topographical maps, elevations, flood profiles, or other relevant data.
 - f. Encourage innovative development in Front Royal by providing the flexibility necessary to produce environmentally sensitive subdivisions which direct building, parking and street locations to terrain more suitable to development while maximizing conservation of the original

Commented [MA52]: Check other ordinances if E&S are controlled elsewhere?

Commented [WT53]: Lexington definition used below.

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Commented [WT55R53]: Staunton only regulates street grade (no more than 12% grade) and encourages curves "where a deflection angle of more than 10 degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced."

Additionally, the City states in 17.15.020 that "certain land subject to flooding and land deemed to be topographically unsuitable shall not be platted for occupancy nor for such uses as may increase danger to health, life, or property or aggravate erosion or flood hazard." (<https://www.codepublishing.com/VA/Staunton/html/Staunton17/Staunton1715.html#17.15>)

Commented [WT56R53]: Lexington - "Land deemed by the agent to be generally unsuitable and land subject to flooding, slope instability, collapse, or other natural hazard shall not be subdivided either for residential occupancy, unless sufficient land is provided in each lot to provide a building site free from flood or other danger, or for such other uses as may increase danger to health, life, or property or aggravate erosion or flood hazard. In this connection the agent may require the subdivider to furnish topographical maps, elevations, flood profiles, or other relevant data." (<https://ecode360.com/9734719#9734722>)

slopes, native cover, prominent land forms, rocky outcrops, natural open space, wildlife habitat and scenic resources.

2. **Applicability:** All proposed subdivisions which result in the creation of an additional building lot or lots with the exception of boundary line adjustments, must submit a plan, in addition to any required subdivision development, street construction or erosion & sediment control plan, identifying predevelopment areas of steep slope. Clear cutting or grading for the purpose of altering predevelopment slopes shall not be permitted.
3. **Establishment of Steep Slope Areas:** The predevelopment slopes shall be computed by rise over run from naturally occurring contour lines based on topographic information showing two-foot contour intervals and based on NAVD 88 vertical datum. The topographic data may be field run or from aerial photography, provided the information is current and the contouring method provides the precision expected for the contour interval used.
 - a. **Identification of Steep Slope Areas:** Steep slopes areas are classified into one (1) of the following two (2) categories:
 - [1] All areas of slope between fifteen percent (15%) and twenty-five percent (25%) which contain highly erodible, highly permeable or shrink-swell soils. Determination of soils which are highly erodible, highly permeable or shrink-swell shall be based on the USDA Soil Conservation Service Soil Survey of Warren County, Virginia, or based on soils analysis prepared by a geotechnical engineer or other appropriate licensed professional.
 - [2] All areas of slope greater than twenty-five percent (25%).
 - b. **Minimum Size of Steep Slope Area:** Steep slope standards do not apply to isolated steep slope areas that are less than five thousand (5,000) square feet in land area. For the purposes of this provision, the entire contiguous area of the steep slopes shall be included in the minimum size calculations, regardless of the number of individual lots or different land ownerships involved.
4. **Creation of Slope Overlays:** The plan identifying steep slopes and critical slopes must include overlays over the entire tract involved identifying by color coding the following:
 - a. All areas of slope between fifteen percent (15%) to twenty-five percent (25%) which contain highly erodible, highly permeable or shrink-swell soils.
 - b. All areas of slope greater than twenty-five percent (25%).
5. **Plan Requirements:** An overlaid grading plan, prepared by a professional licensed by the State of Virginia to prepare such a plan, for the development, management, stabilization and preservation of steep slope areas shall be prepared in accordance with the detail requirements of Town Code Section 148 and upon submission of a report by a certified soil or geotechnical engineer, and/or other appropriate licensed professional, indicating if and how the steep slope may be safely developed.

The final subdivision plat showing any lot or portion of any lot located within a steep slope overlay area must contain a note stating that the property shown hereon is subject to the provisions of Section 148-42, Steep Slopes, of the Town of Front Royal Subdivision Ordinance, in accordance with the conditions shown on the approved overlaid grading plan and/or geotechnical report filed with the applicable and appropriate subdivision application.
6. **Building Site Requirements:** In addition to the requirements of the grading plan described herein, the plan shall include the following standards:
 - a. Site development shall be designed in a manner that requires a minimum amount of alteration to the steep slope.
 - b. Existing vegetation shall be preserved to the maximum extent possible.

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- c. No finished slopes are to be created with a final grade greater than fifteen percent (15%) unless deemed feasible by a geotechnical report.
 - d. Residential driveway grades exceeding ten percent (10%) are not recommended. Residential driveway grades greater than ten percent (10%) shall be constructed in conformance with Virginia Department of Transportation's (VDOT) standard CG-9 or other applicable entrance detail requirements. Commercial or industrial driveway grades shall be constructed in conformance with VDOT standard CG-11 or other applicable entrance detail requirements. All driveways shall have a nonerodible surface treatment, such as asphalt or concrete pavement. Side slopes for driveway cuts shall not exceed twenty-five percent (25%), (4:1) unless deemed feasible by a geotechnical report.
 - e. Use of retaining wall is encouraged to reduce the steepness of man-made slopes and to provide planting pockets conducive to vegetation and landscaping. All retaining walls shall require an engineered design with the exception of non-tiered retaining walls with level backfill and no surcharge loading with a height of twenty-four (24) inches, (2.0 feet) or less from the finished grade. Retaining walls shall not exceed seventy-two (72) inches, (6.0 feet) in height from the finished grade, however, the Town Council, at its discretion, may waive the maximum height requirement for retaining walls located within non-residentially zoned areas. This provision is not intended to preclude a structure's foundation or basement wall or the creation of a walkout basement.
 - f. Landscaping and plantings shall be in accordance with Town Standards.
7. *As-Built Plan Required:* A post construction as-built survey of the approved steep slope overlot grading plan shall be required prior to the issuance of an approved occupancy permit. The as-built drawings shall clearly show any changes or variations from the approved design, and if deemed significant by the Director, may require any such change or variation be brought into compliance with the approved plan. The as-built information shall be shown on the original plan and include the following:
- a. Horizontal variations greater than ~~one~~ one (1.0) foot should be shown dimensionally or through plus stations. Horizontal variations greater than five (5.0) feet should also show the graphic relocation of the object. Vertical elevation variations greater than 0.1 feet shall be provided for all shown design elevations.
 - b. All as-built information shall be shown on the original plan either as blocked in or drawn in a different text style or font from that as shown on the original plan.
 - c. Each sheet of the plan shall contain the words "AS-BUILT" in bold text on or near the title block.
 - d. Date, plan legend, bar scale and north arrow.
 - e. Retaining walls. Indicate type and show elevations of the top of wall and the lowest adjacent finished grade.
 - f. Curb cut, driveway and material. Centerline grade of driveway with spot elevations.
 - g. Spot elevations of graded areas to determine grade of finished slope. Highlight all areas of finished slopes exceeding design grade by more than one percent (1%).
 - h. Horizontal location with dimensions of all structures with dimensions including porches, decks, garages, etc. Show vertical elevations of first floor and basement floor.
 - i. Horizontal and vertical location of roof drains, foundation drains and other drainage outlets. Locations of utility services.
 - j. Location of required plantings.

- k. The final as-built plan must be stamped by Licensed Land Surveyor or Professional Engineer and include certification that the as-built plan is substantially in conformance with the original plan. If a geotechnical report is used, the appropriate licensed professional must certify that the as-built is in conformance with the report.
8. *Exemptions:* Except as otherwise provided herein, no disturbance of steep slopes will be allowed except for the following activities which may be permitted by exemption from the Director of Planning and Zoning:
- Utility service lines, walkways, steps, landings.
 - Emergency action to remediate an unstable slope which poses an imminent threat to health, safety or welfare of the public.
 - Normal landscape maintenance or routine arboreal activities, including small scale planting of ornamental flowers or shrubs, and/or the removal of diseased or damaged trees, and/or the removal of undesirable trees, provided revegetation is in conformance with Town Standards.
 - Disturbance for public roadway or street crossings, or other public purposes as determined by the Director of Planning.
 - Construction of approved landscaping berms, drainage ditches or swales, ponds and dams and other required storm drainage conveyance facilities.
- B. *Erosion and Sediment Control.* All land disturbing activities shall conform to the requirements of [the latest requirements of the Virginia Department of Environmental Quality \(DEQ\) and the Virginia Stormwater Management Handbook](#), ~~the Virginia Erosion and Sediment Control Handbook~~.
- C. *Preservation of Natural Features.* The arrangement of lots, blocks, streets, parking areas and structures shall be designed to make the most advantageous use of topography and natural physical features. Tree masses and large individual trees shall, whenever possible and consistent with the provisions of this chapter, be preserved. [In accordance with the Code of Virginia § 15.2-2245.1, the removal of trees to create stormwater management ponds or facilities may be permitted.](#) Any system of sidewalks, roadways and lot layout shall be designed to take advantage of the visual qualities of the area.
- D. *Floodplain Regulations.*
- Land within a 100-year floodplain may be platted, provided that such lands are not used to meet the minimum required lot size and are designated on the plats as a floodplain easement area and that the subdivision would not necessitate changes to topographic conditions that alter the floodway district.
 - All development within floodplain areas, as established by Chapter 175, Sections 76 through 78 of the Town Code, including dam and impounding structure break zones, shall be subject to the regulations of Chapter 175, Sections 74 through 81.3 of the Town Code.
 - Except where floodplain development is permitted, floodplain areas shall be maintained in their natural state.
- E. *Landscaping.* All major subdivisions and developments meet the landscaping requirements found under Chapter 156 of the Town Code, including, but not limited to, screens and buffers, development tree plantings, street trees, and parking lot landscaping.
- F. *Light and Air.*
- All outdoor lighting fixtures shall be arranged or shielded to direct, or reflect, light away from adjoining residential uses.
 - Where a site development plan is required, new outdoor lighting fixtures shall be designed, constructed, and operated to meet the International Dark-Sky Association (IDA) design standards or

Commented [WT57]: 15.2-2245.1. Stormwater management ponds; removal of trees.

"A locality may not require, but may permit, the removal of trees to create stormwater management ponds or facilities if the minimum adequate outfall requirements and the requirements of the Chesapeake Bay Preservation Act can otherwise be met."

<https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2245.1/>

Commented [WT58]: 15.2-2258 Plat of Proposed subdivision and site plans to be submitted for approval.

"When any part of the land proposed for subdivision lies in a drainage district such fact shall be set forth on the plat of the proposed subdivision. When any part of the land proposed for subdivision lies in a mapped dam break inundation zone such fact shall be set forth on the plat of the proposed subdivision."

Commented [WT59R58]: <https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2258/>

certifications for lighting; except that, the Planning Director may authorize alternative design standards or certifications that reasonably achieve the purpose of controlling the spillover of light onto adjacent properties and the sky, and protecting the public safety by preventing glare from outdoor light.

3. All outdoor lighting that produces harmful electromagnetic energy, including arc welding or acetylene torches, shall be completely screened from view sufficiently to be imperceptible beyond the lot lines.
4. All development shall conform to the regulations of the Virginia State Air Pollution Control Board concerning the emissions of smoke, particulate matter, odors and other gaseous pollutants.
5. All development shall comply not exceed the maximum height and setback regulations of the underlying zoning district, as found under Chapter 175 of the Town Code.

148-870 PARKING AND LOADING AREAS

A. *Parking Areas.*

1. Off-street parking shall be provided in accordance with this subsection on every lot or parcel on which any use is established or expanded.
2. Based on the type of use, the minimum quantity of required off-street parking spaces is show in the following table:

TABLE 148-870.A.2

TYPE OF USE	REQUIRED OFF-STREET PARKING SPACES
Residential	Two (2) parking spaces per dwelling unit.
Motels/hotels	One (1) parking space per room and one (1) additional parking space for every ten (10) rooms.
Lodging/boarding/bed and breakfasts	One (1) parking space per room and an additional two (2) parking spaces for employees.
Shopping Centers	Five (5) parking spaces per one thousand (1,000) gross square feet for every shopping center facility ten thousand (10,000) square feet in size or less. Four (4) parking spaces per one thousand (1,000) gross square feet for every shopping center over ten thousand (10,000) square feet.
Commercial/retail	One (1) parking space per two hundred (200) gross square feet.
Furniture/appliance/lumber and building supply	One (1) parking space per four hundred (400) gross square feet.
Wholesale, storage and contractor's facilities	One (1) parking space per one thousand (1,000) gross square feet for nonpublic areas. One (1) parking space per one hundred (100) net square feet for public sales areas.
Self-service storage facilities	One (1) parking space per twenty (20) individual units, and one (1) additional space per three hundred (300) gross square feet of office area.
Art galleries/museums	One (1) parking space per three hundred (300) gross square feet.

Professional offices	One (1) parking space per three hundred (300) gross square feet.
Medical/dental offices	One (1) parking space per two hundred (200) gross square feet.
Indoor recreation facilities	One (1) parking space per two hundred (200) gross square feet.
Bowling alleys	Three (3) parking spaces per alley.
Outdoor recreation facilities	One (1) parking space per two hundred (200) net square feet of improved area.
Personal service facilities	One (1) parking space per two hundred (200) gross square feet.
Churches/theaters/other assembly buildings/auditoriums	One (1) parking space per four (4) fixed seats in the main assembly area or one (1) parking space per one hundred (100) net square feet.
Day-care/nursery facilities	One (1) parking space per employee and one (1) parking space for every ten (10) children.
Nursing homes	One (1) parking space for every four (4) beds, and one (1) parking space per employee.
Hospitals	One (1) parking space for every two (2) beds, and one (1) parking space for each employee, excluding medical doctors.
Funeral homes	One (1) parking space for every four (4) fixed seats or one (1) parking space per one hundred (100) square feet net visitation area, plus five (5) employee parking spaces.
Restaurants (sit-down)	One (1) parking space for every four (4) seats.
Restaurants (carry-out)	One (1) parking space per fifty (50) net square feet of customer service area.
Restaurants (drive-through)	Three (3) parking spaces plus stacking lanes for six (6) vehicles.
Industrial Uses/Office Component	One (1) parking space per three hundred (300) gross square feet of office area.
Industrial Use/Manufacturing/Distribution Areas	One (1) parking space per employee and one (1) space for every vehicle used on-site, plus one (1) parking space per delivery/loading bay.
Automobile/motor vehicle service facilities	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) parking spaces.
Car sales/rental facilities	One (1) parking space per each two thousand five hundred (2,500) square feet of open sales display area and one (1) parking space per employee. In addition, there shall be two (2) parking spaces per service bay or two (2) parking spaces for every three hundred sixty

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(Supp. No. 2, Update 3)

	(360) square feet of service bay area. There shall be a minimum of three (3) spaces for the service bay areas of these facilities.
Car wash (self-service)	One (1) parking space for drying vehicles, plus two (2) stacked spaces per car wash bay.
Car wash (automatic)	Two (2) parking spaces for drying vehicles, plus five (5) stacking spaces per car wash bay.
Libraries	One (1) parking space per one thousand (1,000) gross square feet.
Public/private schools	One (1) parking space per employee, plus parking space for school auditoriums as noted above for auditoriums.
Greenhouse and landscape nursery facilities	One (1) parking space per four hundred (400) square feet of structured public selling area; one (1) parking space per one thousand (1,000) square feet of greenhouse/warehouse/plant storage areas; and one (1) parking space for each company vehicle.
Veterinary hospitals and kennels	One (1) parking space per three hundred (300) gross square feet.

3. When a use is not specifically listed above, the Director shall determine which of the above categories to use to determine the spaces required, based on similarities between the characteristics of the uses. When a use is not specifically listed above, the Director may also use information provided by the applicant or other sources of information to determine the number of spaces required.
4. Off-street parking areas shall be oriented to the buildings they are designed to serve and shall be within three hundred (300) feet walking distance. Before off-site parking facilities are approved, a written agreement thereto assuring their retention for such purposes shall be properly drawn and executed by the parties concerned, and approved as to form by the Town Attorney, and for compliance with the requirements of this Chapter by the Director.
5. The Access to off-street parking areas shall be designed so as not to obstruct the free flow of street traffic. There shall be adequate provision for ingress and egress to ensure ease of mobility, ample clearance and the safety of vehicles and pedestrians. For corner lots, the distance from the centerline of the parking lot entrance to the curblin or pavement edge of the street intersection shall be adequate to, in the opinion of the Director, provide a safe and sufficient margin for normal traffic patterns and pedestrians at or about the intersection in question.
6. Up to twenty percent (20%) of the total number of required off-street parking spaces may be designated for compact cars if signage is posted in front of the space to notify vehicles that the space is only for compact vehicles.
7. With the exception of off-street compact car spaces, and off-street parallel spaces, off-street parking spaces shall include an area of not less than one hundred sixty-two (162) square feet (9' x 18'). Compact car spaces shall include an area not less than one hundred forty-four (144) square feet (8' x 18').
8. The width of all interior parking lot aisles providing direct one-way access to individual parking spaces shall be as follows:

TABLE 148-870.A.8.

Parking Angle (degrees)	Aisle Width (feet)*
30	12
45	15
60	18
90	22
*The minimum width of all interior parking lot aisles designed for two-way traffic flow shall be twenty (20) feet, except where ninety (90) degree aisles are used, which shall require twenty-two (22) feet.	

9. A parking space shall be at least three (3) feet from a side or rear property line, except where the parking is designed to be shared by the abutting property. No parking space for multiple-family dwelling shall be less than ten (10) feet from a residential structure.
10. Parking areas shall be setback a minimum of five (5) feet from any building or structure. This setback area may be used for sidewalks or landscaping.
11. Parking space already provided to meet off-street parking requirements for stores, office buildings and industrial establishments lying within three hundred (300) feet of the place of public assembly, as measured along lines of public access, which are not normally in use on Sundays or between the hours of 6:00 p.m. and 12:00 midnight on other days may be used to meet not more than seventy-five percent (75%) of the off-street parking requirements of a church or other similar place of public assembly.
12. Any flea market, farmers' market or other open-air commercial activity not listed above shall provide one (1) parking space for each one hundred (100) square feet of land to be used by said flea market, farmers' market or other commercial activity in its open-air operations. The amount of land to be used shall be designated by the respective open-air business in its application for a special permit. If no special permit is required under this chapter, the land to be used shall be designated in the application for a business license. No business shall then use more land than has been designated in its application for special permit or business license without the filing of a new application for a special permit or business license as required herein and then complying with the parking space requirements of this section.
13. For every commercial or industrial parking area located within fifteen (15) feet of the side or rear boundary of a residentially zoned lot or a lot with a residential use, an opaque ornamental fence or masonry wall with a minimum height of four (4) feet shall be erected and maintained. The provisions of this section shall not compel such fence or wall to extend into the required front yard of the premises.
14. Parking areas, including aisles and maneuvering areas, shall be paved with bituminous concrete, or similar hard surface material. The Director may approve stone, in lieu of pavement, for parking areas of no more than four thousand five hundred (4,500) square feet in size.
15. Lights used to illuminate parking areas shall be arranged and shielded to minimize light pollution to adjoining properties.
16. All parking areas shall meet the landscaping requirements of Section 156-6 of the Town Code.
17. Off-street parking shall not be required on any ~~lot fronting on that portion of Main Street which extends from Royal Avenue to Happy Creek or upon that portion of Jackson Street which extends~~

between South Royal Avenue and Church Street on any parcel within the Town's Historic Overlay District.

18. As with the other standards of this chapter, off-street parking requirements may be waived by special exception, in accordance with Section 148-211 of this Chapter.
19. Off-street parking requirements shall be waived by the Zoning Administrator for expansion of an existing use for any property located within the Historic Front Royal District where the following criteria are met:
 - a. The development activity proposed includes the retention and/or the substantial renovation of a contributing structure in the district.
 - b. The square footage of additions or new construction shall not be more than twice that of the original structure.
 - c. The proposed project has been found by the Board of Architectural Review to be in keeping with the scale of development in the surrounding area and with the character of the district as a whole.
 - d. All efforts have been made to provide parking whenever possible.
20. Alleys shall be upgraded to a minimum pavement width of twenty-four (24) feet when they are used as the primary access to parking areas, excluding individual parking for single-family, two-family, and duplex uses.
21. Existing parking facilities shall be maintained in a safe condition, including the repair of damaged areas, restriping, and resurfacing when necessary.

B. Loading Areas.

1. On the same premises with every building, structure or part thereof erected and occupied for uses involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, turning, loading and unloading services in order to avoid interference with public use of the streets and alleys.
2. Loading areas shall be a minimum of fifteen (15) feet wide and fifty-five (55) feet in length, with a minimum clear height of fifteen (15) feet. An off-street truck loading space shall be provided at a rate of one (1) space for the first ten thousand (10,000) square feet or less of gross floor area, plus a minimum of one (1) additional space for each additional forty thousand (40,000) square feet of gross floor area or part thereof. For the purpose of this section, "gross floor area" shall also include gross outdoor storage area, whether covered or uncovered.

148-880 COMPLETION OF REQUIRED IMPROVEMENTS

- A. It shall be the responsibility of the subdivider/developer to complete all required site improvements prior to final plat approval, except when a development surety is accepted by the Town, in accordance with Section 148-890.
- B. All required site improvements shall be completed at the expense of the subdivider/developer, including all required engineering and legal expenses necessary for construction and dedication, except where the subdivider and the Town enter into a cost-sharing or reimbursement agreement.
- C. All required site improvements shall be constructed in compliance with the approved final plat, subdivision development plan, overlot grading plan and/or site development plan, and the Town's Construction Standards and Specifications Manual, as may be periodically amended.

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- D. All required improvements shall be constructed only upon the issuance of a permit(s) by the agent of the Town. Such a permit, or permits, of the Town shall be conducted solely to determine compliance with the requirements and specifications provided by law and the approved site development plan, subdivision development plan, overlot grading plan and/or final plat. The submittal of any application required by this chapter shall constitute consent by the subdivider/developer to all officers and employees of the Town, the service authority, and any other authority, and any state department or agency, reasonable administrative and enforcement of this chapter to enter upon the property at all reasonable times for the purpose of making periodic inspections related to application or plan review, or inspection of improvements.
- E. The subdivider shall certify to the agent of the Town that all of the construction costs for the improvements, including those for materials and labor, have been paid to the person constructing the improvements, or at the option of Town Council, shall present evidence satisfactory to Town Council that the time for recordation of any mechanics lien has expired or evidence that any debt for said construction that may be due and owing is contested and further provides indemnity with adequate surety in an amount deemed sufficient by Town Council, or its designated administrative agent.
- F. When a developer's surety is provided in accordance with Section 148-890, all required site improvements shall be completed within one (1) year from issuance of the first zoning permit, or such other period of time as may be approved by the Town or mandated by the Virginia Code, up to a maximum of five (5) years from the time of final plat approval. Any extension of time beyond such one (1) year period shall require the annual reevaluation of construction estimates and the amount of surety. The [Planning Commission designated agent](#) shall be authorized to grant an extension of time up to two (2) years from the date of final plat approval. Any extension of time granted beyond two (2) years from the date of final plat approval shall only be granted upon approval by Town Council. Failure to complete all required improvements within the applicable time period shall be a forfeiture of the bond or other security by the subdivider to the Town for completion of the required improvements.
- G. Upon completion of required site improvements, and as a condition of the acceptance thereof by the Town and the release of performance bonds, or other securities, the subdivider or developer shall provide the Town with as-built plans, consistent with the detail requirements of Section 148-890.I.
- H. Nothing in this chapter, including the approval of the final plat, shall obligate the Town, an authority, or a state agency or department to accept and take over for operation and maintenance any improvements completed by a subdivider/developer as required by this chapter. Acceptance or approval of an improvement shall be made only if the improvement satisfies all applicable statutes, regulations, ordinances, guidelines and design and construction standards for acceptance or approval of the improvement, upon completion of inspections.

148-890 DEVELOPMENT SURETY

- A. In lieu of completion and acceptance by the Town of all required improvements, as determined by the approved site development plan, subdivision development plan, overlot grading plan or final plat, a developer shall provide a development surety, such as a performance bond, cash escrow or letter of credit, for the purpose of ensuring that the required site improvements are satisfactorily completed within a time period agreed upon by the Town. The amount of the development surety shall be calculated by the Town Engineer based on the projected cost of installation of the improvements. The amount of such development surety shall not exceed the total of the estimated cost of construction based on unit prices for new public or private sector construction in the locality and a reasonable allowance for estimated administrative costs, inflation, and potential damage to existing roads or utilities, which shall not exceed twenty-five percent (25%) of the estimated construction costs, except in circumstances when [Code of Virginia § 15.2-2241.A.5](#) requires localities to limit such estimated costs to ten percent (10%). Such development surety shall be

Commented [WT60]: "The amount of such certified check, cash escrow, bond, or letter of credit shall not exceed the total of the estimated cost of construction based on unit prices for new public or private sector construction in the locality and a reasonable allowance for estimated administrative costs, inflation, and potential damage to existing roads or utilities, which shall not exceed 10 percent of the estimated construction costs."

<https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2241/>

payable to and held by the Town, in a form approved by the Town Attorney. No development security shall be terminated without the Town's consent, nor without at least sixty (60) days' notice to the Town.

- B. No site development plan, subdivision development plan, overlot grading plan and/or final plat that is subject to a development surety shall be approved, nor a building or land disturbance permit issued for development, until the development surety instrument for that particular development, or phase of development, has been submitted and certified by the Director as being consistent with the indemnification and other requirements and format of the Town.
- C. Upon completion of part or all of the individual facilities covered by a development security, the subdivider/developer may request for a partial or final release of the development surety, as provided below:
 - 1. All requests from the subdivider/developer shall be submitted in writing.
 - 2. The Director of Planning shall make periodic partial releases of the development surety as provided in Code of Virginia § 15.2-2245.
 - 3. Periodic partial releases may not occur before the completion of at least thirty percent (30%) of the public facilities covered by any bond, escrow, letter of credit, or other performance guarantee. The governing body or administrative agency shall not be required to execute more than three (3) periodic partial releases in any twelve-month period.
 - 4. Within thirty (30) days after receipt of a written notice by the subdivider/developer of completion of part or all of any improvements required to be constructed by this chapter, the Director of Planning shall respond in writing to the subdivider in one (1) of the following ways: (i) grant the partial or final release, if the applicable state agency, department or any applicable authority or other entity has accepted the improvements; or (ii) inform the subdivider that the improvement has not been accepted by the applicable state agency, department, authority or other entity and/or identify any specified defects or deficiencies in construction and suggested corrective measures.
 - 5. If the Director of Planning fails to take action within the thirty-day period, the request of the subdivider/development shall be deemed approved and a partial release shall be granted. No final release shall be granted until after expiration of the thirty-day period and there is an additional request in writing sent by certified mail by the subdivider to the Town Manager. If the Town Manager fails to take action on the request within ten (10) working days of receipt of the request, it shall be deemed approved and final release shall be granted to the subdivider.
 - 6. No development surety shall be reduced to less than ten percent (10%) of the original development surety amount.
- D. Upon final completion and acceptance or approval of the site improvements and upon receipt from the subdivider/developer of a certification of final completion from a professional engineer, land surveyor, or Planning Director, the Planning Director shall release any remaining development surety to the subdivider/developer. A public improvement shall be deemed to be accepted when it is accepted by and taken over for operation and maintenance by the Town, an authority, or state agency or department responsible for maintaining and operating the improvement.
- E. For the acceptance of site improvements by the Town, the Town may require a maintenance bond in an amount determined reasonable by the Director not to be held for a period of time over twelve (12) months, for the purpose of ensuring that all facilities meet the requirements of the Town Code. For the purpose of final release, the term "acceptance" is deemed to mean when said public facility is accepted by and taken over for operation and maintenance by the Town or such other public authority which is responsible for maintaining and operating such a facility upon acceptance.

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- F. For all securities issued pursuant to Subsection A and in an original amount of ten thousand dollars (\$10,000.00) or less, the Director hereby is designated as the Town Council's administrative agent for authorizing partial and final releases as set forth in Subsection C herein.
- G. For the purpose of this section the terms "developer's securities" and "securities" shall mean any bond, escrow, letter of credit or other performance guarantee required by the Council in a form approved by the Town Attorney and in such amount(s) approved by the Director and/or the Town Engineer sufficient to guarantee the completion of public improvements shown on a subdivision development plan, final plat or site development plan and to be completed by the developer as part of the approval of a subdivision plat or site plan process.
- H. Prior to any partial or full release of securities, the developer shall provide the Town with evidence that the plat has been recorded.
- I. *As-built required.* Upon completion of all required improvements shown on approved site development plans and/or final plats, the owner or applicant shall submit and as-built drawing to the Director of Planning. The as-built shall be prepared in conformance with the as-built detail requirements of Section 148-1025. At least three (3) paper copies and a digital copy shall be submitted, which shall be certified by an engineer, architect or land surveyor. The "as-built plan" shall be submitted within a year of issuance of occupancy permits for the review and approval by the Town Engineer and the Director of Planning for conformity with the approved site development plan, subdivision development plan, overlot grading plan and/or final plat, and the ordinances and regulations of the Town of Front Royal and state agencies. Final approval of the as-built by the Director of Planning, after review by the Town Engineer, shall be required before the final release of applicable development sureties to determine if the required site improvements were constructed in compliance with the approved site development plan, overlot grading plan, and/or final plat.
- J. The Town reserves the right to vacate previously approved and platted subdivisions as permitted under the Virginia Code.
- K. The Town may make use of the development surety if either: (i) the subdivider/developer fails to timely renew the development surety, when necessary to prevent the development surety from terminating, or (ii) the Planning Director, upon consultation with the Town Engineer and Town Attorney, determines that any of the improvements have not been completed in a timely manner and the completion of the improvements is deemed necessary to protect the public health, safety or general welfare.
- L. When a new street is incomplete, permits for new construction may not be issued to more than one (1) incomplete street segment at a time.

ARTICLE 9 DEFINITIONS

148-900 DEFINITIONS

As used in this Chapter, the following terms shall have the meanings indicated:

ADT (AVERAGE DAILY TRIPS) - The average number of motor vehicles per day that pass over a given point or are generated by a specific use, in a twenty-four-hour period.

ALLEY - A permanent servicerway providing a means of vehicular access to the side or rear of abutting properties whose principal frontage is on some other street, and not intended for general traffic circulation.

APPLICANT - A developer or subdivider submitting an application for subdivision or development.

APPLICATION - The application form and all accompanying documents and fees required under this Chapter for approval of a subdivision plat or site development plan.

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AS-BUILT - A drawing, other than a plat, prepared by the appropriate licensed professional, showing existing post construction data and topography in comparison to the proposed site improvements shown on the approved overlot grading, subdivision or site development plan and is a required submission for bond release or issuance of a final occupancy permit.

BEARINGS - See "Dimensions, Angular".

BLOCK - A tract of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways or boundary lines of municipalities.

BOUNDARY LINE ADJUSTMENT - The combination or relocation of property boundaries of previously platted and recorded lots where the total number of lots is not increased.

BUILDING - Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals or chattel.

BUILDING (SETBACK) LINE - A line defining the required minimum distance from any building or structure and the adjacent property or street line. Such line shall be measured at right angles to and parallel with the property or street line.

COMMISSION - The Planning Commission of the Town of Front Royal.

COMMON DRIVEWAY - A driveway jointly owned, used and maintained by the owners of the properties it gives access to.

COMMON PARKING COURT - A parking area jointly owned, used and maintained by the owners of properties it provides parking for.

COMMUNITY SEWERAGE SYSTEM - A private community sewer system, including collection and treatment facilities established by the developer to serve a subdivision.

COMMUNITY WATER SYSTEM - A private water company formed by a developer to serve a community development. It includes water treatment and distribution facilities.

COMPREHENSIVE PLAN - The most recent Comprehensive Plan for the Town of Front Royal, Virginia, adopted by the Town Council, and any subsequently adopted amendments or supplements.

CONDOMINIUM - A system of separate ownership of individual units in a multiple-unit building or development (See Code of Virginia § 55-79.39 et seq.).

CONSERVATION EASEMENT - An easement granting a right or interest in real property that is appropriate to retaining land or water areas predominantly in their natural, scenic, open or wooded condition; retaining such areas as suitable habitat for fish, plants or wildlife; or maintaining existing land uses.

COUNCIL - The Town Council of Front Royal, Virginia.

CUL-DE-SAC - A local street with a single means of ingress and egress, and having an appropriate turnaround for a safe and convenient reversal of traffic movement.

DEDICATION - The deliberate appropriation of land by its owner for any general and/or public use, reserving to himself no other rights than those that are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

DESIGNATED STORMWATER DRAINAGE IMPROVEMENT AREA - An area established by the Front Royal Town Council, having related and common stormwater drainage conditions.

DEVELOPER - Any person, persons or entity who owns and/or seeks to subdivide or develop land under the provisions of this ordinance. See also "subdivider" and "applicant".

DEVELOPER SECURITY - (See "Performance Bond".)

DEVELOPMENT - A planning or construction project involving property improvement and, usually, a change in land use character within the site.

DIMENSIONS, ANGULAR - The angle between a line connecting two (2) points and a north-south line or meridian and expressed in degrees, minutes and seconds.

DIMENSIONS, LINEAR - The horizontal distance between two (2) points, expressed in feet, and as appropriate, to the nearest tenth or one-hundredth of a foot.

DIRECTOR OF PLANNING - The Director for the Town of Front Royal or other agent as designated by the Town Council for the administration of this Chapter. [Duties as assigned by this Chapter to the Director of Planning may be carried out by staff as assigned by the Director.](#)

EASEMENT - Authorization by a property owner which runs with the land of any designated part of his property for use by another for a specific purpose.

ENDORSEMENT - The application of the reviewing and/or approving authority's stamp and the signature of the appropriate authority on the record plat.

ENGINEER - A person licensed to practice as such in the Commonwealth of Virginia.

FINAL PLAT - See "Final Subdivision Plat."

FINAL SUBDIVISION PLAT - The plat of subdivision (including resubdivision, major subdivision, and minor subdivision) showing detailed size and boundaries of each lot, street, easement and other items in accordance with the regulations described herein.

GENERAL DRAINAGE IMPROVEMENT PROGRAM - A plan adopted by resolution of the Town Council for the construction of stormwater drainage facilities within a designated stormwater drainage improvement area.

GRADE - The slope of a road, street or other right-of-way, specified in percentage terms (also see: "Slope").

GRADING PLAN - A drawing, other than a plat, prepared by the appropriate licensed professional, showing existing and proposed topography, environmental controls, demolition and/or improvements to the property in accordance with the requirements of this ordinance and/or other applicable local, state or federal regulations.

HALF STREET - A street, generally parallel with and adjacent to a property line, having a lesser right-of-way width than normally required.

HEALTH DEPARTMENT - The Health Department of the Commonwealth of Virginia.

HEALTH OFFICER - The legally designated health authority of the State Health Department for Warren County or his authorized representative.

HOMEOWNERS' ASSOCIATION - A private nonprofit association or corporation of property owners and/or residents of a fixed area for the purpose of owning, operating and maintaining various common properties.

IMPROVEMENTS - All required utilities and facilities as specified in this Chapter, including, but not limited to, streets, streetlights, landscaping, sidewalks, storm and sanitary sewers, water lines and curbing.

INDIVIDUAL ON-SITE SEWAGE DISPOSAL SYSTEM - A septic tank, seepage tile sewage disposal or any other such sewage treatment device approved by the State Health Department.

JOINT OWNERSHIP - "Joint ownership" of any type among persons shall be construed as the same owner.

JURISDICTION - The area or territory subject to the legislative control of the Town Council of the Town of Front Royal, Virginia.

LAND SURVEYOR - A person licensed to practice as such in the Commonwealth of Virginia.

LANDSCAPE ARCHITECT - A person licensed to practice as such in the Commonwealth of Virginia.

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(Supp. No. 2, Update 3)

LIMITED ACCESS HIGHWAY - A highway especially designed for through traffic, over which abutters have no easement or right of light, air or access to by reason of the fact that their property abuts upon such limited access highway.

LOT - A recorded tract, plot or portion of a subdivision or other parcel of land intended as a unit for the purpose of transfer of ownership or for building development.

LOT CONSOLIDATION - See Lot Line Vacation.

LOT, CORNER - A lot abutting upon two (2) or more streets at their intersection; the shortest side fronting upon a street shall be considered the front of the lot, and the longest side fronting upon a street shall be considered the side of the lot. A lot abutting on a curved street or streets shall be considered a "corner lot" if straight lines drawn from the foremost point of the lot meet at an interior angle of less than one hundred thirty-five degrees (135 °).

LOT, DEPTH OF - The mean horizontal distance between the front and rear lot lines.

LOT, INTERIOR - A lot other than a corner lot.

LOT LINE ADJUSTMENT - See Boundary Line Adjustment.

LOT LINE VACATION - Elimination of a common boundary line between two (2) parcels of land as part of a properly approved and recorded plat of subdivision or re-subdivision in accord with Code of Virginia § 15.2-2264, provided that such action does not involve the relocation or alteration of streets, alleys, easements for public passage, or other public areas, and that no easements or utility rights-of-way are relocated or altered without the express consent of all persons holding any interest therein.

LOT OF RECORD - A lot which has been recorded among the land records in the office of the Clerk of the Circuit Court of Warren County.

LOT, REVERSE FRONTAGE - An interior lot having frontage on two (2) streets.

LOT, WIDTH OF - The horizontal distance between the side lot lines, measured at the front setback line.

MONUMENT - A permanent survey marker identifying lot corners, street centerline and right-of-way lines or control points meeting the requirements of this ordinance.

OPEN AIR USE - Located or taking place in the open air; out-of-doors, outdoors, outside; happening or existing outside.

OPEN SPACE - Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for the public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

OVERLOT GRADING PLAN - See "Grading Plan."

OWNER - Any person, group of persons, firm or firms, corporation or corporations or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations; also applicant, developer and subdivider.

PARTIAL STREET - See "Half street."

PERFORMANCE BOND - Security in the form of a cash deposit, surety bond or instrument of credit, approved by the governing body and Town Attorney, in an amount equal to the full cost of improvements required by these regulations and providing for completion of said improvement within a definite period.

PLAN - A drawing, other than a plat, prepared by the appropriate professional, showing a proposed or tentative project and/or course of action and prepared in accordance with the requirements of this ordinance and/or other applicable local, state or federal regulations.

PLAN AND PROFILE - A detailed engineering drawing showing both the plan view and a profile view of required and/or existing infrastructure improvements and generally included with and made a part of the submission of a Site Development or Subdivision Development plan.

PLANNING COMMISSION - The Planning Commission of the Town of Front Royal, Virginia.

PLAT - A drawing of a specific tract or parcel of land made to scale prepared by a land surveyor or engineer licensed in the Commonwealth of Virginia. The drawing shall be prepared in accordance with the requirements of this ordinance and conform to the Standards for Plats of the Virginia State Library Board (17 VAC 15-60-10 et seq.).

PRELIMINARY PLAN - The preliminary drawing or drawings, described in these regulations, including the supplemental information and data required herein, indicating the proposed layout of the subdivision and related information that is submitted to the [Planning Commission designated agent](#) for preliminary approval.

PRELIMINARY PLAT - See "Preliminary Plan".

PRIMARY SUBDIVIDED PARCEL - The object of or reason for the subdivision request, to include all portions of the source tract submitted for approval as new subdivided lots which are to be developed in some fashion by the erection of buildings or construction of improvements thereon or which are to be sold following subdivision to other individuals or entities.

PRO RATA FEE - The fee paid by the subdivider or developer for a proportionate share of the cost of construction under the general drainage improvement program for a designated stormwater drainage improvement area.

PROPERTY - Any tract, lot or parcel of land or several of the same collected together for the purpose of subdividing or developing.

PUBLIC IMPROVEMENT - Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree, off-street parking area, lot improvement or other facility for which the local government may ultimately assume the responsibility for maintenance and operation or which may affect an improvement for which local government responsibility is established.

RECORD PLAT - The copy of the plat showing major or minor subdivision, resubdivision, boundary line adjustment, lot consolidation or other drawing meeting the requirements described herein containing the endorsement of the Town of Front Royal and intended to be recorded among the County land records.

REGULATION, GENERAL - Any design standard or technical requirement of Chapter 48, Subdivision and Land Development Ordinance, of the Town of Front Royal Municipal Code, that applies to a subdivision or development within the Town of Front Royal.

REMNANT PARCEL - A portion of property left over after a subdivision or boundary line adjustment that does not meet the minimum lot size, frontage, or other general regulation of this Chapter, as applicable for the creation of a new lot.

REQUIREMENT, DESIGN STANDARD - All of the requirements of Article 8 of this Chapter that pertain to qualitative and quantitative characteristics that set criteria to be satisfied in designing or constructing a subdivision or development within the Town of Front Royal.

REQUIREMENT, TECHNICAL - All of the requirements of this Chapter, other than a design standard, that apply to the application, permitting, plan or plat contents, information, or other processes or procedures necessary to obtain approval of a subdivision or development.

RESIDUAL SUBDIVIDED PARCEL - A portion of property left over after a subdivision, typically retained by the property owner that complies with the minimum lot size, frontage and other general regulations of this Chapter, as applicable for the creation of a new lot.

RESUBDIVISION - A change to an approved or recorded subdivision plat if such change affects any street layout on such area reserved thereon for public use or any lot line thereon or if it affects any plat legally recorded as a subdivision prior to the adoption of any regulations controlling subdivisions.

REVERSE FRONTAGE LOT - See "Lot, reverse frontage."

RIGHT-OF-WAY - A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees or another special use. The usage of the term "right-of-way" for land platting purposes shall mean that every "right-of-way" hereafter established and shown on a final subdivision plat is to be separate and distinct from the lots or parcels adjoining such "right-of-way" and not included within the dimensions or areas of such lots or parcels. "Rights-of-way" intended for streets, crosswalks, water mains, sanitary sewers, storm drains, shade trees or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which each "right-of-way" is established.

ROAD - Also "street." A strip of land, other than private driveways serving a single structure, subject to vehicular and/or pedestrian traffic providing means of access to property; also designated as "street," "road," "lane," "drive," "avenue," "right-of-way," "highway," "boulevard," "trail," "court," "place," "terrace," etc.

ROAD, ARTERIAL - A major street that serves as an avenue for the circulation of traffic and carries a high volume of traffic; as defined in the Town's adopted Construction Standards and Specifications, as amended.

ROAD, COLLECTOR - A street that carries and distributes traffic from adjoining local streets to arterial streets; traffic is generally limited to motorists having origin or destination within the immediate neighborhood; as defined in the Town's adopted Construction Standards and Specifications, as amended.

ROAD, LOCAL - A street that provides access to lots and carries traffic having destination or origin on the street itself; as defined in the Town's adopted Construction standards and Specifications, as amended.

ROAD OF RECORD - Any street shown on any subdivision plat recorded in the office of the Clerk of the Circuit Court, whether such street is constructed or not.

ROAD OR ALLEY, PUBLIC USE OF - The unrestricted use of a specific area of right-of-way for ingress and egress to two (2) or more abutting properties.

ROAD PRIVATE - A street that is owned and maintained by a non-government entity such as a property owners association and not necessarily open to public use.

ROAD, SERVICE DRIVE - A public right-of-way generally parallel with and contiguous to a major highway, primarily designed to promote safety by eliminating ingress and egress to the major highway right-of-way by providing safe and orderly points of access to the major highway.

ROAD, THROUGH - A street that carries and distributes traffic to adjoining subdivisions and to streets and highways outside of the subdivision. Such streets function as collector streets.

ROAD WIDTH - The total width of the strip of land dedicated or reserved for public travel, including roadway, curb and gutter, sidewalks, planting strips and, where necessary, utility easements.

SETBACK - See "Building (setback) line."

SITE DEVELOPMENT PLAN - A detailed engineering plan required for the development of an existing parcel of land that shows existing conditions as well as depicting details of a proposed development and prepared in accordance with the regulations described herein.

SITE DEVELOPMENT PLAN, MAJOR - Any site development plan other than a minor site development plan.

SITE DEVELOPMENT PLAN, MINOR - A site development plan that involves technical, procedural and submission requirements that are generally less restrictive than a major site development plan, and are only allowed for specific types of development. For the purposes of this definition, the specific types of development that may

submit a minor site development plan application, in lieu of a major site development plan application, include the following, except that, a major site development plan may be required by the Director for the following uses when the proposed development exceeds the criteria listed under Section 148-210.B. of this chapter:

- a. *For residential uses.* An existing parcel or lot of record in a residential district for three (3) or fewer dwelling units in a single structure.
- b. *For non-residential uses.* The development or re-development of an existing parcel of record where the required number of parking spaces is ten (10) or less and the size of the structure and/or land use area does not exceed two thousand (2,000) square feet.
- c. *Changes of use.* A change of use with no proposed site improvements, other than minor improvements to existing improvements.

Proposed development that includes two (2) or fewer dwelling units on an existing lot or parcel in a residential district shall not require a site development plan, minor or major, but will require the submission of a Proposed House Location Survey prepared in accordance with the requirements of Section 148-1050. An As-Built Survey, prepared in accordance with the requirements of Section 148-1025, shall be submitted prior to the issuance of final approval or authorization for a final occupancy certificate.

SITE PLAN - See "Site Development Plan."

SKETCH PLAN - A drawing that does not require engineering detail and is an early first draft of a proposed subdivision or development.

SLOPE - The steepness, incline, gradient or grade of the natural incline of the ground expressed as a percentage based on computations of rise over run between existing contours.

SLOPE, STEEP - (1) Areas of slope of the natural incline of between fifteen percent (15%) to twenty-five percent (25%) which contain highly erodible, highly permeable or shrink-swell soils. (2) Areas of slope of the natural incline greater than twenty-five percent (25%).

SOURCE TRACT - In a proposed subdivision, the entire parcel or parcels of land which exists as the single cohesive lot or unit of land in the records of Warren County and the Town of Front Royal, from which all subdivided parcels, are to be taken.

SPECIAL EXCEPTION - The approval of a subdivision or development with variations to the general regulations of this Chapter, under the criteria established under Section 148-211, and as authorized by Code of Virginia § 15.2-2242.

STREET - See Road.

STRUCTURE - Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground.

STRUCTURE, PRINCIPAL - A structure in which the principal or primary use of the property is carried out.

SUBDIVIDE - The process of creating new lots to establish a subdivision.

SUBDIVIDER - A person or persons having a freehold, contractual or possessory interest in a parcel of land, who are commencing proceedings under this Chapter to effect a subdivision or development within the Town.

SUBDIVISION - The division of a parcel of land into separate parts, under the terms of this Chapter, regardless of whether the parts are held, developed, sold, leased, rented or transferred. The term includes resubdivision, and when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

SUBDIVISION AGENT - Any person who represents or acts for or on behalf of a subdivider or applicant in selling, leasing or developing or offering to sell, lease or develop any interest, lot, parcel, unit, site or plat in a subdivision, except an attorney at law whose representation of another person consists solely of rendering legal services.

Commented [WT61]: Marking this for later - Need to compare to other localities

Potential case studies: Harrisonburg, Winchester

Commented [WT62R61]: Staunton - "Minor subdivision means any subdivision of land which does not involve the creation or extension of public streets, alleys, central water systems or central sewer systems, and which is:
(1) a division of a lot or parcel of land existing on January 1st of a year into no more than three lots, parcels, or tracts in that same calendar year for any purpose; or
(2) A division which is solely for the purpose of a voluntary or judicial partition of land among co-owners where each owner's partial interest was created by a devise or intestate succession from a deceased landowner, and where no more than one lot, parcel, or tract is conveyed to each owner. An assignee or successor in interest of a co-owner's entire interest shall be permitted to participate in the partition as a separate co-owner; or
(3) A division which is solely for the purpose of a sale or transfer of a tract, lot, or parcel of land to the owner or owners of a contiguous tract, lot, or parcel of land for the purpose of adjusting the boundary lines or adding land area to an existing tract, with each of the resulting, combined tracts to be treated as one tract; or
(4) A revision of a lot line on existing parcel."
(<https://www.codepublishing.com/VA/Staunton/html/Staunton17/Staunton1705.html#17.05>)

Commented [WT63R61]: Harrisonburg does not differentiate between major or minor subdivisions in its ordinance (at least by definition):
https://library.municode.com/va/harrisonburg/codes/code_of_ordinances?nodeId=PTIITHCOGEOR_TIT10PLDE_CH2SUOR#TOPTITLE

Commented [WT64R61]: Winchester does not differentiate by definition
(https://library.municode.com/va/winchester/codes/zoning_and_subdivision_ordinance?nodeId=SUOR_S2DE)

SUBDIVISION DEVELOPMENT PLAN - A detailed engineering plan of the proposed site improvements required for the development of a proposed subdivision and prepared in accordance with the regulations described herein.

SUBDIVISION, MAJOR - Any subdivision other than a minor subdivision.

SUBDIVISION, MINOR - A subdivision that does not involve any of the following: the creation of more than a total of eight (8) lots, the creation of any new public streets, the extension of a public water or sewer system, or the installation of drainage improvements through one (1) or more lots to serve one (1) or more other lots.

SURVEYOR - A person licensed as such by the Commonwealth of Virginia.

TOWN - Town of Front Royal, Virginia.

TREE COVER - All areas of coverage by plant materials exceeding five (5) feet in height, to include the area directly beneath the canopy and within the dripline of a tree.

TREE COVER, PROJECTED TWENTY-YEAR - The area projected to be directly beneath the canopy and within the dripline of a given tree species after a twenty-year growing period. The reference text used in determining the projected twenty-year cover is Michael W. Dirr's Manual of Woody Landscape Plants, Their Identification Ornamental Characteristics, Culture, Propagation and Uses, 4th Edition, 1990.

TREE, STREET - A tree of a deciduous species capable of providing shade that is located in a public place, along the right-of-way adjoining a street or along the street frontage of a property. Such trees shall be a minimum two-inch caliper in size.

USCGS - The United States Coast and Geodetic Survey.

USGS - The United States Geological Survey.

UTILITY LOT - Any parcel or area of land or water that is set aside, dedicated, designated or reserved exclusively for public utilities.

VIRGINIA COORDINATE SYSTEM OF 1983 - The systems of plane coordinates which have been established by the National Ocean Survey/National Geodetic Survey or its successors for defining and stating the positions or locations of points on the surface of the earth within the Commonwealth of Virginia. Coordinate system = US State Plane 1983; Zone = Virginia North 4501; Datum = NAD 1983; Units = US Survey Feet.

WAIVER - The approval of a subdivision or development with variations to the technical regulations of the Chapter, as delegated by Town Council to the Director, under the specific criteria of Section 148-210.

ARTICLE 10 PLAN AND PLAT DETAIL REQUIREMENTS

148-1005 SKETCH PLAN DETAIL REQUIREMENTS

The sketch plan should be prepared at a scale of no greater than one (1) inch equals one hundred (100) feet and should be drawn in on sheets no larger than eighteen by twenty-four (18x24) inches and no smaller than eight and one-half by eleven (8½ x 11) inches. The sketch plan should include the following:

1. All lands in the source tract and that which is in common ownership and contiguous to the source tract.
2. Significant topographical and physical features (steep slopes, floodplains, watercourses, wooded areas, wetlands, etc.).
3. The proposed general street and lot layout, with approximate dimensions.
4. Preliminary proposals for connection with the existing water supply and sanitary sewerage systems.
5. Preliminary provisions for collecting and controlling surface water drainage.

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6. Other information as requested by the Director.
 7. Preliminary traffic impact analysis.
 8. North arrow with meridian reference on each sheet.
 9. Scale of drawing, written and graphic, on each sheet.
 10. Title Block requirements, on each sheet.
 - a. Plan type.
 - b. Owner's name.
 - c. Lot, block and subdivision name.
 - d. Town and County designation.
 - e. Sheet number.
 - f. Plan date.
 11. Cover Sheet (or first sheet) requirements:
 - a. Index of sheets and match lines.
 - b. Name, address and phone number of plan preparer.
 - c. Zoning designation(s).
 - d. FEMA Flood Zone designations.
 - e. Vicinity map one foot equals one thousand feet (1' = 1,000'), with sheet index for multiple sheets.
 - f. Tax map number and/or parcel identification.
 - g. Legend of symbols, abbreviations and line types used.

148-1010 PRELIMINARY PLAN DETAIL REQUIREMENTS

The preliminary plan shall indicate the proposed layout of the subdivision including supplemental information and data required for the location of proposed lots, parcels, streets, storm drainage and public utilities. The preliminary plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by the appropriate professional licensed in the Commonwealth of Virginia. All proposed improvements shall reference design standards in Article 8, Design Standards, and other applicable sections of this ordinance. Unless otherwise approved by the Director, the preliminary plan shall include the following:

1. Sheets prepared at a scale of no greater than one (1) inch equals one hundred (100) feet and drawn in ink on pages no larger than twenty-four by thirty six (24×36) inches unless otherwise approved by the Director. Plan view portions of the plan shall be drawn to scale and show the location of all proposed improvements. Profiles, if required, shall be submitted on standards federal aid plan and profile sheets and shall have a scale of one (1) inch equals fifty (50) feet horizontal and one (1) inch equals five (5) feet vertical, unless otherwise approved. Special studies as required may be submitted on standard cross section paper at the above-noted scale and size. If prepared on more than one (1) sheet, match lines shall clearly indicate where the several sheets join.
2. All dimensions, angular and linear, for locating property lines, lots, street centerlines, alleys, easements and other proposed improvements. Angular measurements shall be expressed in bearings shown in degrees, minutes and seconds. Linear dimensions shall be expressed in feet to the nearest one-hundredth of a foot. All curves shall be defined by their radius, arc length, central angle, tangent length, chord bearing and chord distance. A line and/or curve table may be used provided the data

being tabulated and numbered corresponds with the respective information shown throughout the plan.

3. Proposed phasing of the subdivision, including maximum length of road segments for each phase, temporary street turnarounds and assurance of utility line continuity.
4. The total tract boundaries of the proposed subdivision and the source of title for all boundary information. Indicate if boundary information shown is based on a current field survey or based on deeds of record. When the property is of land acquired from more than one (1) source of title, the outlines of the several tracts shall be indicated by means of a dotted line or within an inset block.
5. Existing topography shown with a contour interval of not greater than five (5) feet and based on USGS datum. The source of the topography shall be identified.
6. Show proposed and existing water supply and distribution with available fire flow data. Note source of fire flow information. Show location and detail of proposed connection to existing line. Location of existing and proposed fire hydrant(s).
7. Show location, type, grade, and size of all proposed and existing sanitary sewers, manholes, gas lines, storm sewers, inlets, ditches, culverts and other utilities. Show location of proposed connections to existing utilities.
8. A conceptual plan for stormwater management and surface drainage on the entire proposed subdivision. Show proposed overlot grading with contours. Provide preliminary computations for storm drainage outfall into existing system and/or calculations proving outfall to adequate channel.
9. All existing or proposed utility transmission lines, bridges, culverts and railroads.
10. Preliminary design of any proposed bridges or large culverts which may require review by other state or local agencies. The preliminary design must meet all applicable requirements of the appropriate state and local agencies and shall be submitted to such agencies by the applicant.
11. Building restriction setback lines with dimensions.
12. Lot numbers. All lots within each block shall be numbered consecutively.
13. Blocks consecutively numbered or lettered in alphabetical order. The blocks in numbered additions to subdivisions bearing the same name shall be numbered or lettered consecutively throughout the several additions.
14. Names and widths of all proposed streets and the functional classification of each, along with a statement of any condition governing the use of the streets.
15. Names and/or route numbers of all existing roads or streets adjoining the property. Indicate if access is limited. NOTE: If the subdivision proposes a new street within three thousand (3,000) feet of an existing state road, the Virginia Department of Transportation (VDOT) must review all such streets.
16. Proposed average daily trip (ADT) information. Indicate if a traffic impact analysis was prepared.
17. Tie-in of proposed streets with existing streets. Show intersection sight distance.
18. Show any VDOT required improvements to existing streets or roads, if applicable.
19. Location, character, size, height and orientation of any required street sign or other proposed signage.
20. Typical street section of proposed street showing entire width of right-of-way, depth and type of pavement, base and subbase and curb line or ditch section, sidewalk and cut or fill slope.
21. Preliminary street centerline sight distance calculations.

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22. The location and width of existing and proposed rights-of-way and easements and their intended use and purpose.
 23. Soils map and soils data. Show location of any required test borings.
 24. Show any special flood hazard area(s) subject to inundation by the one percent (1%) annual chance flood as shown on FEMA Flood Insurance Maps. Provide floodplain limit study, if required.
 25. Approximate location of existing buildings on the property and within two hundred (200) feet outside of the perimeter boundary lines.
 26. The location and area of any parcel of land proposed for non-residential use, such as a park or playground or other public use or for the use of the proposed subdivision lot owners. Indicate any conditions governing the use, dedication or preservation of such areas, including provisions for permanent maintenance.
 27. The location of any cemetery, grave, object or other structure indicating a place of burial.
 28. Show any historical buildings, structures or sites designated on the Virginia Landmarks Register that are located within or adjacent to the proposed subdivision.
 29. Steep Slope analysis.
 30. Any necessary notes that may be required to explain the intent and purposes of specific items on the plan or profile.
 31. Adjoining property owner information, including name, use, deed reference and/or subdivision lot designations.
 32. Significant physical features on the property (watercourses, wetlands, wooded areas, etc.) and other significant man-made or natural features within the subdivision.
 33. Preparer's seal, signature and date on each sheet. (Original signature on first sheet.)
 34. North arrow and meridian reference on each sheet.
 35. Scale of plan, written and graphic, on each sheet.
 36. Title Block requirements, on each sheet.
 - a. Plan type.
 - b. Owner's name.
 - c. Lot, block and subdivision name.
 - d. Town and County designation.
 - e. Sheet number.
 - f. Plan date.
 37. Cover Sheet (or first sheet) requirements:
 - a. Revision block. Show date and nature of all revisions.
 - b. Index of sheets.
 - c. Name, address and phone number of owner and developer.
 - d. Name, address and phone number of plan preparer.
 - e. Zoning designation(s) with minimum lot size requirements.

Commented [WT65]: 15.2-2258. Plat of proposed subdivision and site plans to be submitted for approval.

"When any grave, object or structure marking a place of burial is located on the land proposed for subdivision, such grave, object, or structure shall be identified on any plans or site plans required by this article."

Commented [WT66R65]: <https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2258/>

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- f. Front, side and rear yard setback dimensions.
 - g. FEMA Flood Zone designations, if applicable.
 - h. Vicinity map one foot equals one thousand feet (1' = 1,000'), with sheet index for multiple sheets.
 - i. Area Tabulation showing total area and number of lots, streets, open space and residue. The number of units by type when mixed uses are proposed.
 - j. Off-street parking tabulation.
 - k. Tax map number and/or parcel identification.
 - l. Legend of symbols, abbreviations and line types used.
 - m. Approval Block:

All Town Real Estate Taxes Have Been Paid in Full

Director of Finance Date

Reviewed and Approved by the Town of Front Royal

Director of Planning & Zoning Date

Town Council Date

Director of Environmental Services Public Works Date

Director of Energy Services Date

148-1015 SUBDIVISION DEVELOPMENT PLAN DETAIL REQUIREMENTS

The subdivision development plan shall show the location and design of proposed site improvements required for the subdivision. The subdivision development plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by the appropriate professional licensed in the Commonwealth of Virginia. All proposed improvements shall be designed in accordance with the requirements of Article 8, Design Standards, and other applicable sections of this ordinance. Unless otherwise approved by the Director, the subdivision development plan shall include the following:

1. Sheets prepared at a scale of no greater than one (1) inch equals fifty (50) feet and drawn in ink on pages no larger than twenty-four by thirty-six (24x36) inches. Plan view portions of the plan shall be drawn to scale and show the accurate location of proposed improvements. Profiles shall be submitted on standards federal aid plan and profile sheets and shall have a scale of one (1) inch equals fifty (50) feet horizontal and one (1) inch equals five (5) feet vertical, unless otherwise approved. Special studies as required may be submitted on standard cross section paper at the above-noted scale and size. If prepared on more than one (1) sheet, match lines shall clearly indicate where the several sheets join.
2. All dimensions, angular and linear, for locating property lines, lots, street centerlines, alleys, easements and other proposed improvements. Angular measurements shall be expressed in bearings shown in degrees, minutes and seconds. Linear dimensions shall be expressed in feet to the nearest one-hundredth of a foot. Curve data shall include the delta, radius, arc, tangent, chord distance and chord bearing. A line and/or curve table may be used provided the data being tabulated and numbered corresponds with the respective information shown throughout the plan.
3. Existing topography shown at two-foot contour intervals based on NAVD 88 datum. The topographic information may be field run or from aerial photography, but the information must be current, and the contouring method must provide the precision expected for two-foot contours.
4. Boundary and lot line information based on companion final subdivision plat.

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5. Plan information for proposed water supply and distribution with available fire flow data. Note source of fire flow information. Show location and detail of proposed connection to existing line. Show location and type of fire hydrant(s).
 6. Plan information on location, type, grade, size, top and invert elevations of all existing and proposed sanitary sewers, sanitary laterals, manholes, gas lines, curb and gutter, storm sewers, inlets, ditches, culverts, water meters and other utilities. Show location of proposed connections to existing utilities.
 7. Sanitary sewer lateral schedule.
 8. Design computations confirming adequate control and disposition of natural and stormwater.
 9. Computations for storm drainage outfall into existing system and/or calculations proving outfall to adequate channel.
 10. Profiles for all proposed sanitary and storm sewers, storm drainage outfall to adequate channel, street centerlines, right and left building setback lines, water lines and other utilities.
 11. Street centerline vertical curve data with sight distance calculations.
 12. Stations shown on the profile shall match stations shown on the plan.
 13. Typical street section of proposed street showing entire width of right-of-way, depth and type of pavement, base and subbase and curb line or ditch section, sidewalk and cut or fill slope. Provide calculations for depth of pavement and subbase, if applicable.
 14. Town of Front Royal Standard Construction Detail(s) of all proposed improvements and/or VDOT designation.
 15. Provide and show the location, elevation and description of two (2) on-site reference marks which are properly correlated to the plan elevations. Indicate source and name of existing benchmark used.
 16. Proposed finished grading by contour, supplemented where necessary by spot elevations.
 17. The width of rights-of-way and easements and their intended use and purpose.
 18. The limits of clearing and/or construction for all work to be done, including off-site turnarounds, sewer and water extensions and storm sewer outfalls.
 19. Soils map and soils data. Show location of any required test borings.
 20. Radius of all curb returns to face of curb. On streets where curb and gutter is not required, show radius of edge of pavement.
 21. Location and type of street monuments.
 22. Show any special flood hazard area(s) subject to inundation by the one percent (1%) annual chance flood as shown on FEMA Flood Insurance Maps. Provide floodplain studies, if required.
 23. Names and widths of all proposed streets. Names and/or route numbers of all existing roads or streets adjoining the property and their posted speed limit. Indicate if access is limited.
 24. Proposed average daily trip (ADT) information. Indicate if a traffic impact analysis was prepared.
 25. Tie-in of proposed streets with existing streets. Show intersection sight distance.
 26. VDOT required improvements to existing streets or roads, if applicable.
 27. Street light placement.
 28. Location, character, size, height and orientation of any required street sign or other proposed signage.
 29. Location of any cemetery, grave, object or other structure indicating a place of burial.

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30. Location and type of all driveway entrances and curb ramps, including railing, slopes and surface treatment.
 31. Overlot grading plan showing proposed grading for lot development. Show location of proposed housing or building units, driveways and disposition of surface water.
 32. Steep Slope analysis.
 33. Any necessary notes that may be required to explain the intent and purposes of specific items on the plan or profile.
 34. Adjoining property owner information, including name, deed reference and/or subdivision lot designations.
 35. Preparer's seal, signature and date on each sheet. (Original signature on first sheet.)
 36. North arrow and meridian reference on each sheet.
 37. Scale of plan, written and graphic, on each sheet.
 38. Title Block requirements, on each sheet.
 - a. Plan type.
 - b. Owner's name.
 - c. Lot, block and subdivision name.
 - d. Town and County designation.
 - e. Sheet number.
 - f. Plan date.
 39. Cover Sheet (or first sheet) requirements:
 - a. Revision block.
 - b. Index of sheets.
 - c. Name, address and phone number of owner and developer.
 - d. Name, address and phone number of plan preparer.
 - e. Zoning designation(s) with minimum lot size requirements.
 - f. Required front, side and rear yard setback dimensions.
 - g. FEMA Flood Zone designations.
 - h. Vicinity map one foot equals one thousand feet (1' = 1,000'), with sheet index for multiple sheets.
 - i. Area Tabulation showing total area and number of lots, street, open space and residue. Indicate area of construction or disturbed area.
 - j. Tax map number and/or parcel identification.
 - k. Town of Front Royal General Construction Notes.
 - l. "Miss Utility" note regarding marking of underground utilities.
 - m. Town of Front Royal "Notice Required" utility excavation note.
 - n. Legend of symbols, abbreviations and line types used.
 - o. Approval Block:

All Town Real Estate Taxes Have Been Paid in Full

Director of Finance Date

Reviewed and Approved by the Town of Front Royal

Director of Planning & Zoning Date

Town Manager Date

Director of Environmental Services Public Works Date

Director of Energy Services Date

148-1020 SITE DEVELOPMENT PLAN DETAIL REQUIREMENTS

The site development plan shall show the location and design of proposed site improvements required for the subdivision. The Site Development Plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by the appropriate professional licensed in the Commonwealth of Virginia. All proposed improvements shall be designed in accordance with the requirements of Article 8, Design Standards, and other applicable sections of this ordinance. Unless otherwise approved by the Director, the Site Development Plan shall include the following:

1. Sheets prepared at a scale of no greater than one (1) inch equals fifty (50) feet and drawn in ink on pages no larger than twenty-four by thirty-six (24 × 36) inches. Plan view portions of the plan shall be drawn to scale and show the accurate location of proposed improvements. Profiles shall be submitted on standards federal aid plan and profile sheets and shall have a scale of one (1) inch equals fifty (50) feet horizontal and one (1) inch equals five (5) feet vertical, unless otherwise approved. Special studies as required may be submitted on standard cross section paper at the above-noted scale and size. If prepared on more than one (1) sheet, match lines shall clearly indicate where the several sheets join.
2. All dimensions, angular and linear, for locating property lines, lots, street centerlines, alleys, easements and other proposed improvements. Angular measurements shall be expressed in bearings shown in degrees, minutes and seconds. Linear dimensions shall be expressed in feet to the nearest one-hundredth of a foot. Curve data shall include the delta, radius, arc, tangent, chord distance and chord bearing. A line and/or curve table may be used provided the data being tabulated and numbered corresponds with the respective information shown throughout the plan.
3. Existing topography shown at two-foot contour intervals based on NAVD 88 datum. The topographic information may be field run or from aerial photography, but the information must be current, and the contouring method must provide the precision expected for two-foot contours.
4. Boundary and lot line information.
5. Plan information for proposed water supply and distribution with available fire flow data. Note source of fire flow information. Show location and detail of proposed connection to existing line. Show location and type of fire hydrant(s).
6. Plan information on location, type, grade, size, top and invert elevations of all existing and proposed sanitary sewers, sanitary laterals, manholes, gas lines, curb and gutter, storm sewers, inlets, ditches, culverts, water meters and other utilities. Show location of proposed connections to existing utilities.
7. Sanitary sewer lateral schedule.
8. Design computations confirming adequate control and disposition of natural and stormwater.
9. Computations for storm drainage outfall into existing system and/or calculations proving outfall to adequate channel.

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10. Profiles for all proposed sanitary and storm sewers, water lines and storm drainage outfall to adequate channel.
 11. Stations shown on the profile shall match stations shown on the plan.
 12. Typical section of proposed street improvements showing depth and type of pavement, base and subbase and curb line or ditch section, sidewalk and cut or fill slope. Provide calculations for depth of pavement and subbase, if applicable.
 13. Town of Front Royal Standard Construction Detail(s) of all proposed improvements and/or VDOT designation.
 14. Provide and show the location, elevation and description of two (2) on-site reference marks which are properly correlated to the plan elevations. Indicate source and name of existing benchmark used.
 15. Proposed finished grading by contour, supplemented where necessary by spot elevations.
 16. The width of rights-of-way and easements and their intended use and purpose.
 17. The limits of clearing and/or construction for all work to be done, including off-site turnarounds, sewer and water extensions and storm sewer outfalls.
 18. Soils map and soils data. Show location of any required test borings.
 19. Radius of all curb returns to face of curb or radius of edge of pavement.
 20. Location and type of property corner monuments.
 21. Show any special flood hazard area(s) subject to inundation by the one percent (1%) annual chance flood as shown on FEMA Flood Insurance Maps. Provide floodplain limit studies, if required.
 22. Names and/or route numbers of all existing roads or streets adjoining the property and their posted speed limit. Indicate if access is limited.
 23. Proposed average daily trip (ADT) information. Indicate if a traffic impact analysis was prepared.
 24. VDOT required improvements to existing streets or roads, if applicable.
 25. Show location and type of exterior lighting.
 26. Location, character, size, height and orientation of any required street sign or other proposed signage.
 27. Location of any cemetery, grave, object or other structure indicating a place of burial.
 28. Location and type of all driveway entrances and curb ramps, including railing, slopes and surface treatment. Provide sight distance calculations for entrance.
 29. Steep Slope analysis.
 30. Any necessary notes that may be required to explain the intent and purposes of specific items on the plan or profile.
 31. Adjoining property owner information, including name, deed reference and/or subdivision lot designations.
 32. Preparer's seal, signature and date on each sheet. (Original signature on first sheet.)
 33. North arrow and meridian reference on each sheet.
 34. Scale of plan, written and graphic, on each sheet.
 35. Title Block requirements, on each sheet.
 - a. Plan type.

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- b. Owner's name.
 - c. Lot, block and subdivision name.
 - d. Town and County designation.
 - e. Sheet number.
 - f. Plan date.
36. Cover Sheet (or first sheet) requirements:
- a. Revision block.
 - b. Index of sheets.
 - c. Name, address and phone number of owner and developer.
 - d. Name, address and phone number of plan preparer.
 - e. Zoning designation(s) with minimum lot size requirements.
 - f. Required front, side and rear yard setback dimensions.
 - g. FEMA Flood Zone designations, if applicable.
 - h. Vicinity map one foot equals one thousand feet (1' = 1,000'), with sheet index for multiple sheets.
 - i. Area Tabulation showing total area and number of lots, street, open space and residue. Indicate area of construction or disturbed area.
 - j. Tax map number and/or parcel identification.
 - k. Town of Front Royal General Construction Notes.
 - l. "Miss Utility" note regarding marking of underground utilities.
 - m. Town of Front Royal "Notice Required" utility excavation note.
 - n. Legend of symbols, abbreviations and line types used.
 - o. Approval Block:
 - All Town Real Estate Taxes Have Been Paid in Full
 - Director of FinanceDate
 - Reviewed and Approved by the Town of Front Royal
 - Director of Planning & ZoningDate
 - Town ManagerDate
 - Director of Environmental ServicesPublic Works Date
 - Director of Energy ServicesDate

148-1025 AS-BUILT DETAIL REQUIREMENTS

An as-built shall be prepared for site improvements required by the approved site development plan, subdivision development plan, overlot grading plan, and/or final plat that are intended for public use. The as-built shall show the existing horizontal and vertical dimensions of the constructed site improvements on a copy of the site development plan and/or final plat in a fashion that distinguishes them from the proposed or designed

dimensions, such as in "italic" or "boxed" format. In addition to the items shown on the site development plan or final plat, the as-built shall include the following:

1. The horizontal location and dimensions of sanitary manholes, storm inlets, ditches, swales, water valves, water meters, fire hydrants, utility poles and pedestals, driveway entrances, handicap curb cuts, streets, sidewalks and signs. (Provide coordinate values, or acad line file, of said horizontal locations.)
2. Horizontal variations greater than one (1.0) foot should be shown dimensionally or through plus stations. Horizontal variations greater than five (5.0) feet should also show the graphic relocation of the object. Vertical elevation variations greater than one-tenth foot shall be provided for all shown design elevations.
3. Retaining wall: indicate type and show elevations of the top of wall and the lowest finished grade.
4. Spot elevations of graded areas to determine the finished grade of all areas of steep slope. Highlight all areas of finished slopes exceeding design grade by more than one percent (1%).
5. Horizontal location with dimensions of all structures with dimensions including porches, decks, garages, etc., show vertical elevations of first floor and basement floor.
6. Horizontal and vertical location of roof drains, foundation drains and other drainage outlets. Locations of utility services.
7. Location of required plantings.
8. Invert and top elevations of sanitary manholes and storm inlets.
9. Size (diameter) and type of sanitary and storm sewer lines.
10. Length and percentage of slope of individual runs of sanitary and storm sewer lines.
11. Length, percentage of slope, invert elevations, and cross section dimensions of storm drainage ditches or swales.
12. Topography by contours of stormwater management ponds or other stormwater detention devices and provide calculations of existing storage. Include spot elevations as needed.
13. Topography by contours of all graded areas, including street slopes and areas of overlot grading. Include spot elevations as needed.
14. Elevation of centerline of streets at fifty-foot intervals.
15. Elevation of curb and gutter flowline at fifty-foot intervals.
16. Widths of sidewalks, trails, street pavement, driveway entrances, and other concrete or asphalt items.
17. A statement that the street and lot corner monuments have been set.
18. Signature and seal of the as-built plan preparer.
19. Date of the as-built.
20. The as-built plan must be stamped by a licensed land surveyor or professional engineer and include certification the as-built plan is substantially in conformance with the original plan. If a geotechnical report is used, the appropriate licensed professional must certify that the as-built is in conformance with the report.

148-1030 OVERLOT GRADING PLAN DETAIL REQUIREMENTS

The overlot grading plan shall show the proposed grading and improvements for proposed subdivision lots. The overlot grading plan or any portion thereof involving engineering, planning, landscape architecture or land

surveying shall be prepared by the appropriate professional licensed in the Commonwealth of Virginia. All proposed improvements shall be designed in accordance with the requirements of Article 8, Design Standards, and other applicable sections of this ordinance. Unless otherwise approved by the Director, the overlot grading plan shall include the following:

1. Sheets prepared at a scale of no greater than one (1) inch equals fifty (50) feet and drawn in ink on pages no larger than twenty-four by thirty-six (24 × 36) inches. Plan view portions of the plan shall be drawn to scale and show the accurate location of proposed improvements. Profiles shall be submitted on standards federal aid plan and profile sheets and shall have a scale of one (1) inch equals fifty (50) feet horizontal and one (1) inch equals five (5) feet vertical, unless otherwise approved. If prepared on more than one (1) sheet, match lines shall clearly indicate where the several sheets join.
2. All dimensions, angular and linear, for locating property lines, lots, street centerlines, alleys, easements and other proposed improvements. Angular measurements shall be expressed in bearings shown in degrees, minutes and seconds. Linear dimensions shall be expressed in feet to the nearest one-hundredth of a foot. Curve data shall include the delta, radius, arc, tangent, chord distance and chord bearing. A line and/or curve table may be used provided the data being tabulated and numbered corresponds with the respective information shown throughout the plan.
3. Existing topography shown at two-foot contour intervals based on NAVD 88 datum. The topographic information may be field run or from aerial photography, but the information must be current, and the contouring method must provide the precision expected for two-foot contours.
4. Boundary and lot line information.
5. Plan information for proposed water supply and distribution with available fire flow data. Note source of fire flow information. Show location and detail of proposed connection to existing line. Show location and type of fire hydrant(s).
6. Plan information on location, type, grade, size, top and invert elevations of all existing and proposed sanitary sewers, sanitary laterals, manholes, gas lines, curb and gutter, storm sewers, inlets, ditches, culverts, water meters and other utilities. Show location of proposed connections to existing utilities.
7. Sanitary sewer lateral schedule.
8. Design computations confirming adequate control and disposition of natural and stormwater.
9. Computations for storm drainage outfall into existing system and/or calculations proving outfall to adequate channel.
10. Profiles for all proposed sanitary and storm sewers, water lines and storm drainage outfall to adequate channel.
11. Stations shown on the profile shall match stations shown on the plan.
12. Town of Front Royal Standard Construction Detail(s) of all proposed improvements and/or VDOT designation.
13. Provide and show the location, elevation and description of two (2) on-site reference marks which are properly correlated to the plan elevations. Indicate source and name of existing benchmark used.
14. Proposed finished grading by contour, supplemented where necessary by spot elevations.
15. The limits of clearing and/or construction for all work to be done.
16. Soils map and soils data. Show location of any required test borings.
17. Radius of all curb returns to face of curb or radius of edge of pavement.

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18. Show any special flood hazard area(s) subject to inundation by the one percent (1%) annual chance flood as shown on FEMA Flood Insurance Maps. Provide floodplain limit studies, if required.
 19. Names and/or route numbers of all existing roads or streets adjoining the property and their posted speed limit. Indicate if access is limited.
 20. Proposed average daily trip (ADT) information. Indicate if a traffic impact analysis was prepared.
 21. **VDOT required improvements to existing streets or roads, if applicable.**
 22. Show location and type of exterior lighting.
 23. Location of any cemetery, grave, object or other structure indicating a place of burial.
 24. Location and type of all driveway entrances and curb ramps, including railing, slopes and surface treatment. Provide sight distance calculations for entrance.
 25. Steep Slope analysis.
 26. Any necessary notes that may be required to explain the intent and purposes of specific items on the plan or profile.
 27. Adjoining property owner information, including name, deed reference and/or subdivision lot designations.
 28. Preparer's seal, signature and date on each sheet. (Original signature on first sheet.)
 29. North arrow and meridian reference on each sheet.
 30. Scale of plan, written and graphic, on each sheet.
 31. Title Block requirements, on each sheet.
 - a. Plan type.
 - b. Owner's name.
 - c. Lot, block and subdivision name.
 - d. Town and County designation.
 - e. Sheet number.
 - f. Plan date.
 32. Cover Sheet (or first sheet) requirements:
 - a. Revision block.
 - b. Index of sheets.
 - c. Name, address and phone number of owner and developer.
 - d. Name, address and phone number of plan preparer.
 - e. Zoning designation(s) with minimum lot size requirements.
 - f. Required front, side and rear yard setback dimensions.
 - g. FEMA Flood Zone designations, if applicable.
 - h. Vicinity map one foot equals one thousand feet (1' = 1,000'), with sheet index for multiple sheets.
 - i. Area Tabulation showing total area and number of lots, street, open space and residue. Indicate area of construction or disturbed area.

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- j. Tax map number and/or parcel identification.
 - k. Town of Front Royal General Construction Notes.
 - l. "Miss Utility" note regarding marking of underground utilities.
 - m. Town of Front Royal "Notice Required" utility excavation note.
 - n. Legend of symbols, abbreviations and line types used.
 - o. Approval Block:

All Town Real Estate Taxes Have Been Paid in Full

Director of Finance Finance Date

Reviewed and Approved by the Town of Front Royal

Director of Planning & Zoning Zoning Date

Town Manager Date

Director of Environmental Services Public Works Date

Director of Energy Services Date

148-1035 FINAL SUBDIVISION PLAT DETAIL REQUIREMENTS

The final subdivision plat shall be prepared by a land surveyor or professional engineer licensed by the Commonwealth of Virginia and shall conform to the Standards for Plats of the Virginia State Library Board (17 VAC 15-60-10 et seq.). The final plat shall be prepared at a scale of no greater than one (1) inch equals one hundred (100) feet and shall be drawn in ink on sheets no larger than eighteen by twenty-four (18 × 24) inches and no smaller than eight and one-half by eleven (8½ × 11) inches. Unless otherwise approved by the Director, the Final Plat shall include the following:

1. A statement that the final plat is substantially in accordance with the approved preliminary plan, if applicable. The final plat may include all or any part of the area covered by the preliminary plan, in accord with phasing designations shown on the preliminary plan.
2. A statement or certificate signed by the preparer certifying to the correctness of the survey, the drawn plat, the placement of lot corner and street monuments and stating the source of title to the land subdivided and the place of record of the last instrument in the chain of title. When the property is of land acquired from more than one (1) source of title, the outlines of the several tracts shall be indicated by means of a dotted line or within an inset block.
3. A statement or certificate that "The subdivision and dedication of the land shown hereon is with the free consent and in accordance with the desire of the undersigned owner(s), proprietor(s) and trustee(s)." The statement shall be signed by such persons and duly acknowledged before an officer authorized to make such acknowledgements.
4. The boundary lines of the land being subdivided shall be determined from a field survey meeting the requirements of the "Minimum Standards and Procedures for Land Boundary Surveying Practice" (18 VAC 10-20-370) of the regulations promulgated by the Virginia State Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. The survey shall be referenced to the Virginia Coordinate System of 1983 and the plat shall show the coordinate values of at least two (2) corners of the subdivision.
5. The location, number and area (square feet or acres) of proposed lots and parcels (both residential and non-residential).

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6. All dimensions, angular and linear, for locating boundary lines, lots, parcels, streets, street centerlines, alleys and easements (public and private). Angular measurements shall be expressed in bearings shown in degrees, minutes and seconds. Linear dimensions shall be expressed in feet to the nearest one-hundredth of a foot. All curves shall be defined by their radius, arc length, central angle, tangent length, chord bearing and chord distance. A line and/or curve table may be used provided the data being tabulated and numbered corresponds with the respective information shown throughout the plat.
 7. A statement regarding the use and dedication of all non-residential parcels and lots.
 8. Proposed easements or rights-of-way, their widths and use, and any limitation on such easements or rights-of-way. Easements must be located in cooperation with the appropriate public utility provider.
 9. Existing easements or other encumbrances of record known to the professional. Indicate if a title report was furnished.
 10. Lot numbers in numerical order and block identification in accordance with the approved preliminary plan.
 11. Proposed streets and widths. Use street name(s) per approved preliminary plan with statement regarding dedication and use.
 12. Names and/or route numbers of existing roads or highways adjoining the property. Indicate if access is limited.
 13. Distance to nearest road intersection where applicable.
 14. A bearing and distance tie to the exterior boundary for parcels or sections located entirely within the perimeter boundary lines.
 15. The location of any easement, right-of-way or street to be vacated, if any.
 16. The location and type of all boundary line and permanent reference monuments.
 17. Adjoining property owner information, including name, deed reference and/or subdivision lot designation.
 18. Building restriction setback lines with dimensions.
 19. North arrow with meridian reference on each sheet.
 20. Scale of drawing, written and graphic, on each sheet.
 21. Preparer's seal, signature and date on each sheet. (Original signature on first sheet.)
 22. Title Block requirements, on each sheet.
 - a. Plat type.
 - b. Owner's name.
 - c. Lot, block and subdivision name.
 - d. Town and County designation.
 - e. Sheet number.
 - f. Plan date.
 23. Cover Sheet (or first sheet) requirements:
 - a. Revision block. Show date and nature of all revisions.

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- b. Index of sheets and match lines.
 - c. Name, address and phone number of owner and developer.
 - d. Name, address and phone number of plan preparer.
 - e. Zoning designation(s) with minimum lot size requirements.
 - f. Front, side and rear yard setback dimensions.
 - g. FEMA Flood Zone designations, if applicable.
 - h. Vicinity map one foot equals one thousand feet (1' = 1,000'), with sheet index for multiple sheets.
 - i. Area Tabulation showing total area and number of lots, streets, open space and residue. The number of units by type when mixed uses are proposed.
 - j. Tax map number and/or parcel identification.
 - k. Legend of symbols, abbreviations and line types used.
 - l. Approval Block:

All Town Real Estate Taxes Have Been Paid in Full

Director of Finance Date

Reviewed and Approved by the Town of Front Royal

Town Council *Date

Director of Planning & Zoning Date

*use Town Manager for Minor Subdivision.

148-1040 LOT CONSOLIDATION/BOUNDARY LINE ADJUSTMENT PLAT DETAIL REQUIREMENTS

The lot consolidation/boundary line adjustment plat shall be prepared by a land surveyor or professional engineer licensed by the Commonwealth of Virginia and shall conform to the Standards for Plats of the Virginia State Library Board (17 VAC 15-60-10 et seq.). The final plat shall be prepared at a scale of no greater than one (1) inch equals one hundred (100) feet and shall be drawn in ink on sheets no larger than eighteen by twenty-four (18 × 24) inches and no smaller than eight and one-half by eleven (8½ × 11) inches. Unless otherwise approved by the Director, the final plat shall include the following:

1. A statement or certificate signed by the preparer certifying to the correctness of the drawn plat and stating the source of title to the land shown and the place of record of the last instrument in the chain of title. When the property is of land acquired from more than one (1) source of title, the outlines of the several tracts shall be indicated by means of a dotted line or within an inset block.
2. A statement or certificate that "The lot consolidation or boundary line adjustment of the land shown hereon is with the free consent and in accordance with the desire of the undersigned owner(s), proprietor(s) and trustee(s)." The statement shall be signed by such persons and duly acknowledged before an officer authorized to make such acknowledgements.
3. Indicate if the boundary lines shown on the plat are from record information or have been determined from a field survey meeting the requirements of the "Minimum Standards and Procedures for Land Boundary Surveying Practice" (18 VAC 10-20-370) of the regulations promulgated by the Virginia State Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects.
4. Original property lines with bearings and distances.

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5. Show vacated property line(s) as a dashed or dotted line and use lettering indicating the vacation of the lines. (Property line hereby vacated.)
 6. New property lines shown with bearings and distances. Use lettering indicating the new lines. (Property line hereby created.)
 7. Existing easements or other encumbrances of record known to the professional. Indicate if a title report was furnished.
 8. Total area of original lot(s).
 9. Total area of new lot(s).
 10. Area of the adjustment(s).
 11. New lot number (alpha numeric). Show vacated lot numbers as dashed or dotted text.
 12. Names and/or route numbers of existing roads or highways adjoining the property. Indicate if access is limited.
 13. Distance to nearest road intersection where applicable.
 14. The location and type of all boundary line and permanent reference monuments.
 15. Adjoining property owner information, including name, deed reference and/or subdivision lot designation.
 16. Building restriction setback lines with dimensions.
 17. Show the distance from any structure to nearest property line.
 18. North arrow with meridian reference on each sheet.
 19. Scale of drawing, written and graphic, on each sheet.
 20. Preparer's seal, signature and date on each sheet. (Original signature on first sheet.)
 21. Title Block requirements, on each sheet.
 - a. Plat type.
 - b. Owner's name.
 - c. Lot, block and subdivision name.
 - d. Town and County designation.
 - e. Sheet number.
 - f. Plat date.
 22. Cover Sheet (or first sheet) requirements:
 - a. Index of sheets and match lines.
 - b. Name, address and phone number of plan preparer.
 - c. Zoning designation(s).
 - d. FEMA Flood Zone designations.
 - e. Vicinity map one foot equals one thousand feet (1' = 1,000'), with sheet index for multiple sheets.
 - f. Tax map number and/or parcel identification.
 - g. Legend of symbols, abbreviations and line types used.

h. Approval Block:

All Town Real Estate Taxes Have Been Paid in Full

Director of FinanceDate

Reviewed and Approved by the Town of Front Royal

Town ManagerDate

Director of Planning & ZoningDate

148-1045 GENERALIZED DEVELOPMENT PLAN DETAIL REQUIREMENTS

The generalized development plan shall indicate the general layout of site improvements, including supplemental information and data required for the location of proposed lots, parcels, streets, storm drainage and public utilities. The generalized development plan or any portion thereof involving engineering, planning, landscape architecture or land surveying shall be prepared by the appropriate professional licensed in the Commonwealth of Virginia. All proposed improvements shall reference design standards in Article 8, Design Standards, and other applicable sections of this ordinance. Unless otherwise approved by the Director, the generalized development plan shall include the following:

1. Sheets prepared at a scale of no greater than one (1) inch equals one hundred (100) feet and drawn in ink on pages no larger than twenty-four by thirty-six (24 × 36) inches unless otherwise approved by the Director. If prepared on more than one (1) sheet, match lines shall clearly indicate where the several sheets join.
2. Proposed phasing of the development.
3. The general locations, dimensions, height, number of floors and setbacks of all existing and proposed buildings, structures and other improvements.
4. The total tract boundaries of the proposed subdivision and the source of title for all boundary information. Indicate if boundary information shown is based on a current field survey or based on deeds of record. When the property is of land acquired from more than one (1) source of title, the outlines of the several tracts shall be indicated by means of a dotted line or within an inset block.
5. A table estimating the lot coverage ratio and impervious surface area.
6. The boundaries of any lakes, rivers, streams, ponds or wetlands.
7. The general location and material descriptions of all other existing and proposed screens, buffer areas or landscaping.
8. The location and dimensions of existing and proposed parking and loading areas, and any other impervious areas such as driveways, streets and sidewalks.
9. The location of all points of access and all proposed interparcel connections.
10. Existing topography shown with a contour interval of not greater than five (5) feet and based on USGS datum. The source of the topography shall be identified.
11. Show proposed and existing water supply and distribution with available fire flow data. Note source of fire flow information. Show location and detail of proposed connection to existing line. Location of existing and proposed fire hydrant(s).
12. Show location, type, grade, and size of all proposed and existing sanitary sewers, manholes, gas lines, storm sewers, inlets, ditches, culverts and other utilities. Show location of proposed connections to existing utilities.

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13. A conceptual plan for stormwater management and surface drainage on the entire site. Provide preliminary computations for storm drainage outfall into existing system and/or calculations proving outfall to adequate channel.
 14. A conceptual plan for overlot grading with contours.
 15. All existing or proposed utility transmission lines, bridges, culverts and railroads.
 16. Preliminary design of any proposed bridges or large culverts which may require review by other state or local agencies. The preliminary design must meet all applicable requirements of the appropriate state and local agencies and shall be submitted to such agencies by the applicant.
 17. Building restriction setback lines with dimensions.
 18. Lot numbers.
 19. Names and/or route numbers of all existing roads or streets adjoining the property. Indicate if access is limited.
 20. Proposed average daily trip (ADT) information. Indicate if a traffic impact analysis was prepared.
 21. Show any VDOT required improvements to existing streets or roads, if applicable.
 22. Location, character, size, height and orientation of any required street sign or other proposed signage.
 23. The location and width of existing and proposed rights-of-way and easements and their intended use and purpose.
 24. Soils map and soils data. Show location of any required test borings.
 25. Show any special flood hazard area(s) subject to inundation by the one percent (1%) annual chance flood as shown on FEMA Flood Insurance Maps. Provide floodplain limit study, if required.
 26. Approximate location of existing buildings on the property and within two hundred (200) feet outside of the perimeter boundary lines.
 27. The location of any cemetery, grave, object or other structure indicating a place of burial.
 28. Show any historical buildings, structures or sites designated on the Virginia Landmarks Register that are located within or adjacent to the proposed subdivision.
 29. Preliminary steep slope analysis.
 30. Any necessary notes that may be required to explain the intent and purposes of specific items on the plan.
 31. Adjoining property owner information, including name, use, deed reference and/or subdivision lot designations.
 32. Significant physical features on the property (watercourses, wetlands, wooded areas, etc) and other significant man-made or natural features within the subdivision.
 33. Preparer's seal, signature and date on each sheet. (Original signature on first sheet.)
 34. North arrow and meridian reference on each sheet.
 35. Scale of plan, written and graphic, on each sheet.
 36. Title Block requirements, on each sheet.
 - a. Plan type.
 - b. Owner's name.

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- c. Lot, block and subdivision name.
 - d. Town and County designation.
 - e. Sheet number.
 - f. Plan date.
37. Cover Sheet (or first sheet) requirements:
- a. Revision block. Show date and nature of all revisions.
 - b. Index of sheets.
 - c. Name, address and phone number of owner and developer.
 - d. Name, address and phone number of plan preparer.
 - e. Zoning designation(s) with minimum lot size requirements.
 - f. Front, side and rear yard setback dimensions.
 - g. FEMA Flood Zone designations, if applicable.
 - h. Vicinity map one foot equals one thousand feet (1' = 1,000'), with sheet index for multiple sheets.
 - i. Area Tabulation showing total area and number of lots, streets, open space and residue. The number of units by type when mixed uses are proposed.
 - j. Off-street parking tabulation.
 - k. Tax map number and/or parcel identification.
 - l. Legend of symbols, abbreviations and line types used.

148-1050 PROPOSED HOUSE LOCATION SURVEY DETAIL REQUIREMENTS

The proposed house location survey shall show the proposed grading and improvements for residential parcel or lot of record. The proposed house location survey shall be prepared by a land surveyor or professional engineer licensed in the Commonwealth of Virginia. All proposed improvements shall be designed in accordance with the requirements of Article 8, Design Standards, and other applicable sections of this ordinance. Unless otherwise approved by the Director, the proposed house location survey shall include the following:

1. The proposed house location survey shall be prepared at a scale of no greater than one (1) inch equals fifty (50) feet and shall be drawn in ink on sheets no larger than eighteen by twenty-four (18 x 24) inches and no smaller than eight and one-half by eleven (8½ x 11) inches.
2. Existing topography shown at two-foot contour intervals based on NAVD 88 datum. The topographic information may be field run or from aerial photography, but the information must be current, and the contouring method must provide the precision expected for two-foot contours.
3. Boundary and lot line information. Indicate if boundary information is based on a current field survey or based on deeds of record.
4. The location, dimensions, height, number of floors and setbacks of all existing and proposed buildings, structures and other improvements.
5. Building restriction setback lines with dimensions.
6. Area of lot or parcel.

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7. Type, grade, size, top and invert elevations of all existing sanitary sewers, manholes, curb and gutter, storm sewers, inlets, ditches, culverts, water meters and other utilities. Show location of proposed connections to existing utilities.
 8. Show location and details of proposed connections to existing utilities.
 9. Computations for storm drainage outfall into existing system and/or calculations proving outfall to adequate channel.
 10. Provide and show the location, elevation and description of an on-site reference mark which is properly correlated to the survey elevations. Indicate source and name of existing benchmark used.
 11. Proposed finished grading by contour, supplemented where necessary by spot elevations.
 12. The limits of clearing and/or construction for all work to be done.
 13. Radius of all curb returns to face of curb or radius of edge of pavement.
 14. Show any special flood hazard area(s) subject to inundation by the one percent (1%) annual chance flood as shown on FEMA Flood Insurance Maps. Provide floodplain limit studies, if required.
 15. Names and/or route numbers of all existing roads or streets adjoining the property and their posted speed limit. Indicate if access is limited.
 16. Location of any cemetery, grave, object or other structure indicating a place of burial.
 17. Location and type of all driveway entrances and curb ramps, including railing, slopes and surface treatment.
 18. Any necessary notes that may be required to explain the intent and purposes of specific items on the plan or profile.
 19. Adjoining property owner information, including name, deed reference and/or subdivision lot designations.
 20. Preparer's seal, signature and date on each sheet. (Original signature on first sheet.)
 21. North arrow and meridian reference on each sheet.
 22. Scale of plat, written and graphic, on each sheet.
 23. Title Block requirements, on each sheet.
 - a. Plat type.
 - b. Owner's name.
 - c. Lot, block and subdivision name.
 - d. Town and County designation.
 - e. Sheet number.
 - f. Plat date.
 24. Cover Sheet (or first sheet) requirements:
 - a. Revision block.
 - b. Index of sheets.
 - c. Name, address and phone number of plan preparer.
 - d. Zoning designation.

- e. FEMA Flood Zone designations.
- f. Tax map number and/or parcel identification.
- g. "Miss Utility" note regarding marking of underground utilities.
- h. Legend of symbols, abbreviations and line types used.

ARTICLE 11 SCHEDULE OF FEES

148-1100 FEES

A. The following fees are hereby assessed for the applications or services as indicated:

APPLICATION TYPE	FEE
Boundary Adjustment	\$100.00
Boundary Plat/Survey Review	\$50.00
Copy of Town Subdivision and Land Development Ordinance	\$15.00
Lot Line Vacation	\$150.00
Performance Bond Release Partial and Full	\$200.00
Right-of-Way Utilization Permit	\$100.00
Special Exception (per application submission, not per variance or exception standard)	\$650.00
Site Development Plan (Minor)	\$500.00
Site Development Plan (Major)	\$1,000.00 for 1 st & 2 nd Submissions. Any Subsequent Review will incur \$500.00/per submission
Sketch Plan	\$150.00
Subdivision Final Plat (Minor)	\$200.00 + \$100.00/per lot
Subdivision Development Plan (Minor)	\$500.00
Preliminary Plan (Major)	\$750.00
Subdivision Final Plat (Major)	\$1,000.00 + \$100.00/per lot
Subdivision Development Plan (Major)	\$750.00 + \$25.00/per lot
GIS Data:	
a. Aerials (1,250' x 1,250' Panel) (per panel)	\$5.00
b. Base Maps (5,000' x 5,000' panel) (per panel)	\$25.00
Or Townwide	\$400.00
c. Other Layers (as available) (townwide)	\$50.00

d. Parcel Layers (as available) (townwide)	\$100.00
e. Scanned Document (per sheet)	\$12.50

- B. Until all fees, charges, etc., described above have been paid in full, no action shall be taken to any application for any of the services described above.
- C. Freedom of Information Act (FOIA) requests for available information shall be submitted to the appropriate Department that maintains the records sought for processing. Any request for records or documents from the Town is considered a FOIA request. All FOIA requests shall be communicated by the Department to the Town Manager and Town Attorney. FOIA regulations allow the Town to assess a reasonable charge for the costs to access, search, duplicate, and supply the requested materials if they exist. The Town shall not assess fees if staff time is less than thirty (30) minutes and ten (10) pages of eight and one-half inch by eleven-inch (8½" x 11") paper. An individual requesting materials through a FOIA request will be notified as soon as practicably possible. The Town shall conform to all FOIA regulations established by the Commonwealth of Virginia to ensure access to all available Town documents.

(Ord. of 5-27-25(2))

WORK SESSION BUSINESS ITEM 2

ZONING ORDINANCE DRAFT REVIEW I-2 DISTRICT

DIVISION 6.14 - INDUSTRIAL EMPLOYMENT DISTRICT (I-2)

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

The I-2 Industrial Employment District is designed to:

- A. Enable the establishment of industrial and employment uses and structures in appropriate locations of the town.
- B. Prevent land or structures from being used in a manner so as to create any dangerous, injurious, noxious or otherwise objectionable risk of fire, explosion, radioactivity or other hazardous condition; noise or vibration, smoke, dust, odor or other form of air pollution; electrical or other disturbance, glare or heat; liquid or solid waste; or other condition that would detract from the residential and commercial desirability of the adjoining areas.
- C. Provide controls and standards for the establishment of industrial and employment uses and structures in keeping with the purposes of this Article and the Front Royal Comprehensive Plan.

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.

RESIDENTIAL:

Caretaker quarters

COMMERCIAL:

~~Automobile and truck sales lots and leasing agencies, in accordance with Section 6.3.3.C~~

~~Automobile garage (auto repair)~~

~~Automobile service stations (gas stations)~~

Business Offices

~~Coal and wood yards, lumberyards and feed/seed stores~~

Commuter parking facilities

Contractor's offices, display rooms and storage

Furniture stores

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Lumber and building supply

Medical offices, R&D campuses, and workforce training facilities

Professional Offices

Technology Business

Veterinary hospitals

INDUSTRIAL:

Advanced manufacturing sectors: robotics, aerospace, semiconductor, green tech, and medical device production

Distribution facilities

Light Manufacturing

Woodworking and upholstery shop.

Wholesale

ORGANIZATIONAL:

Laboratory, pharmaceutical and/or medical

Schools

MISCELLANEOUS:

Accessory uses, structures and buildings

Home occupations

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

Section 6.14.3 - 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:

RESIDENTIAL:

COMMERCIAL:

Airport (including heliports)

Automobile and truck sales lots and leasing agencies, in accordance with Section 6.9.8.E

Automobile garage (auto repair)

Automobile service stations (gas stations)

Commented [LN1]: Auto seems more appropriate by SUP in Heavy Industrial Area

Assembly Halls.

Barber and beauty shops

Catering Services

Clubs

Daycare and daycare facilities

Kennels

Recreation facility, commercial

Restaurant, including drive-in restaurants

Retail Stores

INDUSTRIAL:

Automobile Graveyard

Hazardous Material Storage

Heavy Manufacturing

Medium Manufacturing

Scrap metal processing

ORGANIZATIONAL:

MISCELLANEOUS:

Any use permitted under **Section 6.14.2.3**, or specifically listed above under this subsection, that proposes to occupy a building or structure that exceeds the height requirements of **Section 6.14.3**, subject to the requirements of **Division 3.1**. 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.

Communications Towers and cable television facilities, with wireless telephone (cell phone) communications tower subject to the supplemental provisions prescribed in **Division 9.108**

Conservation Areas

Mini-warehouses

Parking Structures

Section 6.14.4 - AREA REGULATIONS (I-2) (175-66)

- A. Minimum lot size: twenty thousand (20,000) square feet.
- B. Minimum lot width: eighty (80) feet.
- C. Minimum district size: ten (10) acres.

Section 6.14.5 - MAXIMUM HEIGHT OF BUILDINGS (I-2) (175-67)

- A. All buildings/structures: seventy-five (75) feet, except as provided for in **Section 6.14.2.1**.
- 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 6.14.6 - MINIMUM YARD DIMENSIONS (I-2) (175-68)

- A. All structures:
 - 1. Front: twenty-five (25) feet.
 - 2. Side: ten (10) feet.
 - 3. Rear: zero (0).
 - 4. Corner side: twenty-five (25) feet.
- 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 ~~All transitional yards shall be landscaped in accordance with **Section 148-44**.~~

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Section 6.14.7 - LOT COVERAGE (I-2) (175-69)

- A. Maximum building coverage: - fifty percent (~~65~~50%).
- B. Maximum impervious surface coverage: - seventy-five percent (75%).

Section 6.14.8 - PERFORMANCE STANDARDS (I-2) (175-70)

The following performance standards shall apply to all uses within the I-2 Industrial Employment District:

A. Vibration:

1. 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.
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.

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. 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.
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.

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 locations specified in [Section 6.4.4](#) 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):

<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>

1.	Octave Band Cycles	Maximum
2.	Permitted	
3.	Per Second	Sound Level
4.		in Decibels
5.	0 to 75	72
6.	75 to 150	67
7.	150 to 300	59
8.	300 to 600	52
9.	600 to 1200	46
10.	1200 to 2400	41
11.	2400 to 4800	38
12.	Above 4800	35

2. ~~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.
3. 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.

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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 requirements of Section 6.14.8.2:
 - 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 6.14.9 - LOCATIONS FOR DETERMINATION OF PERFORMANCE STANDARDS (I-2) (175-71)

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

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

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 9.12.3](#)

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.

WORK SESSION BUSINESS ITEM 3

HB 655 (2026) AND THE FRONT ROYAL ZONING ORDINANCE

Zoning Compliance Crosswalk

Virginia HB 655 (2026) and the Front Royal Zoning Ordinance

Prepared for the Front Royal Planning Commission

Executive Summary

Virginia House Bill 655 (2026), signed into law on March 31, 2026, amends Virginia Code §15.2-2290 and §15.2-2247 in ways that substantially restrict local authority to regulate manufactured housing. The law takes effect July 1, 2026. Review of the Town of Front Royal Zoning Ordinance (Chapter 175) identifies multiple provisions that will be in direct conflict with the amended state statute as of that date.

Key findings:

- Section 175-123 (Manufactured Homes) constitutes a town-wide prohibition on manufactured homes outside the A-1 District. This is the central conflict with HB 655 and cannot be cured by minor amendment — the section must be substantially rewritten or repealed.
- The definition of “Dwelling, Single-Family” in §175-3 expressly excludes manufactured homes, which is the precise distinction HB 655 prohibits.
- Statements of intent in districts R-E, R-S, and R-1 expressly prohibit “mobile homes,” which (read together with the §175-3 definitions) operate to exclude manufactured homes as well.
- Manufactured housing standards in §175-10.10.C apply only in the A-1 District and include a 19-foot minimum width requirement that may be challenged as exclusionary if carried over town-wide without modification.
- The “mobile home” exclusion (for pre-1976 units) is preserved by HB 655 and may remain in the ordinance.

This document provides a section-by-section crosswalk between the amended state statutes, the current Front Royal ordinance, and the conflicts requiring amendment. Recommended action items and items still requiring review are summarized at the end.

1. HB 655 Overview

Bill summary and status:

- **Bill:** HB 655 (2026 Regular Session), “Zoning; manufactured housing”
- **Patron:** Del. Michelle L. Maldonado (D–Prince William)
- **Companion:** SB 346 (Sen. Schuyler VanValkenburg); HB 655 incorporates HB 418 and HB 801
- **Enactment:** Signed by Gov. Abigail Spanberger on March 31, 2026 (CHAP0019)
- **Effective date:** July 1, 2026
- **Code sections amended:** Va. Code §15.2-2247 and §15.2-2290

What the bill does, in plain terms:

1. Expands the required locations for manufactured housing. Under current §15.2-2290, localities are required to permit manufactured homes on individual lots only in agricultural zoning districts (or districts where agricultural, horticultural, or forest uses are dominant). As amended, localities must permit manufactured homes in all zoning districts where site-built single-family dwellings are allowed.
2. Imposes a non-discrimination standard. Localities may not adopt or enforce any zoning, land-use, or development regulation that treats manufactured homes differently or more restrictively than a single-family site-built dwelling allowed in the same zoning district.
3. Preserves the authority to adopt uniform development standards. Localities may still establish standards (foundation, appearance compatibility, dimensional standards, etc.), provided that the standards apply to all residential structures in the same district and do not have the effect of excluding manufactured housing.
4. Removes the authority under §15.2-2247 for localities without a zoning ordinance to designate the areas in which manufactured homes may be located. (This provision does not directly affect Front Royal, which has a zoning ordinance.)
5. Provides a carve-out for locally designated historic districts, consistent with §15.2-2306 and the Board of Architectural Review process.

2. State Code: Current vs. Amended

The following side-by-side comparison shows the operative changes to the two affected code sections. Conceptual summaries are used where strict paraphrasing serves readability; the Planning Commission is encouraged to consult the chaptered bill text (Acts of Assembly Chapter 19, 2026) for the authoritative language prior to formal adoption of any ordinance amendments.

§ 15.2-2290 — Uniform regulations for manufactured housing

Current Law (pre-July 1, 2026)	Amended Law (effective July 1, 2026)
Subsection A — Required permissibility: Localities with zoning ordinances must permit placement of manufactured homes on permanent foundations and individual lots in agricultural zoning districts (and districts where agricultural, horticultural, or forest uses dominate), subject to development standards equivalent to site-built single-family dwellings in the same or equivalent district.	Subsection A — Required permissibility (expanded): Localities must permit placement of manufactured homes in all zoning districts where single-family site-built dwellings are allowed, subject to equivalent development standards. Narrow exceptions apply to designated historic districts.
Subsection B — Uniform standards: Localities may adopt uniform development standards, provided they apply to all residential structures in the district and do not have the effect of excluding manufactured housing.	Subsection B — Uniform standards (preserved): Retains the authority to adopt uniform standards, subject to the same constraint. Notably, HB 655 adds an express non-discrimination rule: local regulations may not treat manufactured homes differently or more

Current Law (pre-July 1, 2026)	Amended Law (effective July 1, 2026)
	restrictively than site-built single-family dwellings allowed in the same district.
Subsection C — Restrictive covenants: Local compliance with §15.2-2290 does not relieve parcels of private restrictive covenant obligations relating to manufactured housing.	Subsection C — Restrictive covenants (unchanged): Private restrictive covenants remain outside the scope of the statute.

§ 15.2-2247 — Applicability of subdivision ordinance to manufactured homes

Current Law (pre-July 1, 2026)	Amended Law (effective July 1, 2026)
Authorizes any locality (including those without a zoning ordinance) to designate by ordinance the areas in which manufactured homes may be located or manufactured home parks may be established. Authorizes incorporation of subdivision-ordinance provisions (§§15.2-2241 through 15.2-2245) into the regulation of manufactured home parks. Provides that state law supersedes in case of irreconcilable conflict.	Removes the authority of localities without a zoning ordinance to designate manufactured home locations. Other provisions regarding manufactured home parks and the state-law supersession clause are retained. Practical effect for Front Royal: Because the Town has a zoning ordinance (Chapter 175), the removed authority did not apply here. The operative changes for the Town are in §15.2-2290.

3. Primary Conflict — §175-123 (Manufactured Homes)

Section 175-123 of the Front Royal Zoning Ordinance is the central compliance issue. Its operative effect — a town-wide prohibition of manufactured homes outside the A-1 District — is directly incompatible with amended §15.2-2290.

Provision	Current Ordinance Text	HB 655 Conflict
§175-123 Manufactured Homes (sentence 1)	<i>“Manufactured homes shall not be permitted within the Town of Front Royal, except where authorized in the A-1 District, and for temporary trailer parks, as specified under this Chapter.”</i>	Directly conflicts with amended §15.2-2290(A). Site-built single-family dwellings are permitted by right in R-E, R-S, R-1, R-1A, R-2, R-3, PND, and MCD. State law requires manufactured homes to be permitted in each of those districts as well.

Provision	Current Ordinance Text	HB 655 Conflict
§175-123 Manufactured Homes (sentence 2)	<i>“New or replacement mobile homes, as defined, are not permitted in the Town.”</i>	No conflict. Mobile homes, as defined in §175-3, are pre-1976 units that do not comply with the federal HUD Manufactured Home Construction and Safety Standards. HB 655 applies to HUD-code manufactured homes, not pre-1976 mobile homes. This sentence may be retained.

Recommended action:

Repeal the first sentence of §175-123 in its entirety. Replace with language either (a) cross-referencing uniform development standards applicable to all residential construction, or (b) restating permissibility consistent with amended §15.2-2290. The second sentence, addressing pre-1976 mobile homes, may be retained without amendment.

4. Definitional Conflict — §175-3 “Dwelling, Single-Family”

The §175-3 definition of “Dwelling, Single-Family” expressly excludes manufactured homes from the category. This definitional exclusion is the structural mechanism through which manufactured homes are denied access to the districts where site-built single-family dwellings are permitted. Amending §175-123 without also addressing this definition would leave the ordinance internally inconsistent and arguably still non-compliant.

Definition	Current Ordinance Text	HB 655 Conflict
§175-3 Dwelling, Single-Family	<i>“A single residential dwelling unit, other than a mobile home or manufactured home, designed for occupancy by one (1) family, and not located on the same lot as another dwelling unit.”</i>	The “other than ... manufactured home” carve-out is the textbook example of the disparate treatment that amended §15.2-2290 prohibits. This exclusion propagates throughout the ordinance because “single-family dwelling” appears in the permitted-use lists of every residential district.

Definition	Current Ordinance Text	HB 655 Conflict
§175-3 Mobile Home	<i>“A residential dwelling built in a factory before the federal Manufactured Home Construction and Safety Standards went into effect on June 15, 1976. New or replacement mobile homes are not permitted within the Town.”</i>	No conflict. HB 655 does not protect pre-1976 mobile homes. The Town may continue to prohibit new or replacement mobile homes.

Recommended action:

Amend the “Dwelling, Single-Family” definition to remove the “other than a mobile home or manufactured home” exclusion. Consider restructuring the definition to affirmatively include manufactured homes meeting the HUD-code definition while retaining the exclusion for pre-1976 mobile homes.

5. District-by-District Analysis

The following table summarizes each zoning district’s current treatment of manufactured housing and identifies the HB 655 compliance issue in each. Districts marked “Review required” were not fully accessible in this initial analysis and will need further examination during the ordinance revision process.

District	Ordinance Section	Current Treatment	HB 655 Status
A-1 Agriculture & Open Space	§175-10.3; §175-10.10.C	Manufactured homes permitted by right, subject to four standards: (1) 19-foot minimum width; (2) permanent foundation; (3) appearance and character of conventional site-built single-family housing; (4) Building Code compliance.	District-level permissibility is compliant. However, the 19-foot minimum width may have the effect of excluding single-wide manufactured homes and should be reviewed against the HB 655 standard that development standards “shall not have the effect of excluding manufactured housing.”
R-E Estate Residential	§175-10.11 (Intent); §175-10.12 (Uses)	Single-family detached dwellings permitted by right. Intent statement expressly provides: “Mobile homes or rooming houses are prohibited.”	Directly conflicts with amended §15.2-2290. Because site-built single-family dwellings are permitted, manufactured homes must also be permitted.

District	Ordinance Section	Current Treatment	HB 655 Status
R-S Suburban Residential	§175-10.21 (Intent); §175-10.22 (Uses)	Same structure as R-E. Intent statement expressly prohibits mobile homes.	Same conflict as R-E. Non-compliant with amended §15.2-2290.
R-1 Residential	§175-11 (Intent); §175-12 (Uses)	Single-family detached dwellings permitted by right. Intent expressly prohibits mobile homes.	Same conflict. Non-compliant with amended §15.2-2290.
R-1A Residential	§175-18.2 (Uses)	Single-family detached dwellings permitted by right. No explicit prohibition in intent statement; however, §175-123 and the §175-3 definitional exclusion operate to exclude manufactured homes.	Non-compliant via §175-123 and §175-3 definition.
R-2 Residential	§175-20 (Uses) — review required	Review required. Single-family and two-family residential uses expected; §175-123 operates to exclude manufactured homes.	Non-compliant via §175-123 and §175-3 definition.
R-3 Residential	§175-29 (Uses) — review required	Review required. Higher-density residential district.	Non-compliant via §175-123 and §175-3 definition wherever single-family dwellings are permitted.
PND Planned Neighborhood Development	§175-37.3 — review required	Review required. District includes residential uses.	Non-compliant via §175-123 to the extent single-family dwellings are permitted.
MCD Mixed-Use Campus Development	§175-53.10 — review required	Review required. District may include residential uses.	Non-compliant via §175-123 to the extent single-family dwellings are permitted.
Historic District Overlay	§175-82 through §175-98	Overlay district governing exterior changes to properties within designated historic areas;	HB 655 includes a narrow exception for historic districts. The Town's existing BAR review process should

District	Ordinance Section	Current Treatment	HB 655 Status
		Certificate of Appropriateness required for most exterior alterations.	remain enforceable, but any exclusion of manufactured homes from the underlying base zoning district (rather than aesthetic review on a project-by-project basis) remains subject to HB 655.

6. Permissible Local Regulation Under HB 655

HB 655 does not strip the Town of all authority to regulate manufactured housing. Understanding what remains permissible is important for framing the ordinance revisions so that compliance can be achieved without abandoning legitimate regulatory interests.

The Town may continue to:

6. Adopt uniform development standards that apply to all residential structures (whether manufactured or site-built) in a given district. Examples include foundation requirements, minimum square footage, roof pitch, exterior materials, orientation, and parking. The test is whether the standard applies uniformly and does not have the effect of excluding manufactured housing.
7. Require that manufactured homes be placed on permanent foundations (consistent with the existing A-1 standard).
8. Prohibit new or replacement mobile homes (pre-1976 units not meeting HUD standards).
9. Enforce aesthetic and design review through the Board of Architectural Review within the Historic District Overlay, subject to the narrow historic-district exception in HB 655.
10. Apply the Virginia Uniform Statewide Building Code and related installation, utility connection, and skirting requirements (as affirmed by Va. Code §36-85.11).

The Town may not:

11. Prohibit manufactured homes in any district where site-built single-family dwellings are permitted.
12. Apply a development standard to manufactured homes that is not also applied to site-built single-family dwellings in the same district.
13. Require a special use permit, conditional use permit, or other discretionary approval for manufactured homes unless the same approval would be required for a site-built single-family dwelling in the same district.
14. Adopt standards (such as minimum width, minimum square footage, or design requirements) that have the effect of excluding manufactured housing — even if neutrally worded.

7. Recommended Ordinance Amendments

The following amendments, taken together, would bring Chapter 175 into compliance with HB 655. They are sequenced in order of logical dependency.

Priority 1 — Foundational amendments

15. Amend §175-3 (Dwelling, Single-Family) to remove the “other than a mobile home or manufactured home” exclusion. Consider affirmatively including manufactured homes meeting the HUD-code definition.
16. Repeal or rewrite the first sentence of §175-123. Either (a) delete the town-wide prohibition entirely, or (b) replace it with a standards-based provision that applies uniformly to all residential construction.

Priority 2 — District-level amendments

17. Amend the intent statements of §175-10.11 (R-E), §175-10.21 (R-S), and §175-11 (R-1) to remove the “Mobile homes or rooming houses are prohibited” language. If the Town wishes to continue prohibiting pre-1976 mobile homes, the language may be narrowed to refer to “mobile homes as defined in §175-3” — a term of art referring only to pre-1976 units.
18. Confirm through district-by-district review that no remaining provisions in R-1A, R-2, R-3, PND, or MCD exclude manufactured homes from uses otherwise permitted for site-built single-family dwellings.

Priority 3 — Development standards

19. Review §175-10.10.C (currently A-1-specific) and determine whether to (a) extend the standards town-wide as uniform residential standards, (b) modify them to apply only to manufactured and site-built homes alike, or (c) retain them as A-1-specific.
20. Review the 19-foot minimum width requirement. This standard should either (a) apply to all residential structures uniformly, or (b) be reduced or eliminated to avoid the effect of excluding single-wide manufactured homes.
21. Review the “appearance and character” standard. Subjective appearance standards have historically been the subject of preemption litigation. Consider converting to objective, measurable standards (roof pitch, exterior materials, siding orientation, etc.) that apply uniformly to all residential construction.

Priority 4 — Conforming amendments

22. Review Chapter 148 (Subdivisions and Land Development) for references to manufactured home parks and ensure consistency with amended §15.2-2247.
23. Review any other chapters of the Town Code that reference mobile or manufactured homes to identify conforming changes.

8. Outstanding Items for Further Review

This analysis is based on a review of Chapter 175 sufficient to identify the primary compliance issues. The following items require additional review before a complete compliance package can be presented to Town Council:

- Full text of R-2, R-3, PND, and MCD permitted use tables and any related development standards.

- Chapter 148 (Subdivisions and Land Development) review for manufactured home park provisions.
- Identification of properties within the Historic District Overlay to quantify the scope of the historic-district exception.
- Review of §175-10.10.C standards against relevant Virginia case law and Attorney General opinions on exclusionary standards (particularly minimum width requirements).

9. Timing and Compliance Deadline

HB 655 takes effect on July 1, 2026. As of that date, any provision of the Front Royal Zoning Ordinance that conflicts with amended §15.2-2290 will be unenforceable. State law supersedes local ordinances under the general principle and is reaffirmed by the existing language of §15.2-2247.

The Town has approximately two months from the date of this analysis to adopt conforming amendments before the effective date. The adoption process under §15.2-2285 requires Planning Commission review, public notice, and a public hearing, which should be initiated promptly if the Commission intends to have amendments in place by July 1.

Even if the formal amendment process extends beyond July 1, 2026, Town staff should be prepared to apply amended §15.2-2290 directly to any manufactured housing applications received after that date. Continued enforcement of §175-123 after July 1 could expose the Town to legal challenge.

End of Analysis