



TOWN COUNCIL WORK SESSION

Monday, July 7, 2014 @ 7:00pm
Front Royal Administration Building

Town/Staff Related Issues:

1. Acceptance of Vehicle from Fire Department to Police Department – *Chief of Police*
2. Veterans Day Banners – *Town Manager*

Council/Mayor Related Issues:

3. Liaison Committee Items for July 17 Meeting
4. Consideration of a Sign Ordinance Amendment from Happy Creek Coffee/Tea – *Councilman Funk*
5. Recreational Vehicle Parking Discussion – *Vice Mayor Parker*
6. Reinstate Pilot Fees in Rt 522 Corridor – *Councilman Hrbek*
7. Council Discussion/Goals (*time permitting*)
8. Closed Meeting – Acquisition of Real Property and Consultation with Legal Counsel

Motion to Go Into Closed Meeting

I move that Council convene and go into Closed Meeting for the purpose of discussion or consideration of the acquisition of real property for a public purpose, namely, property for Leach Run Parkway, where discussion in an Open Meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 A. 3. of the Code of Virginia; and, pursuant to Virginia Code § 2.2-3711.7 for the purpose of consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, namely, terms of the acquisition of property for Leach Run Parkway .

Motion to Certify Closed Meeting at its Conclusion [*At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:*]

I move that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Action as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.



Item No. 1

Town of Front Royal, Virginia Work Session Agenda Form

Date:

Agenda Item: Acceptance of donation from the Front Royal Volunteer Fire Dept.

Summary: The FRVFD wishes to donate a 2004 International Heavy Duty Ambulance to the town for the Front Royal Police Dept. to be used to replace the current Emergency Services Team tactical truck.

Council Discussion:

Staff Evaluation: The current vehicle in use is over 35 years old. Numerous maintenance issues have come to light over the past year-and-a-half which have rendered the vehicle unreliable to be used in emergency situations. Several law enforcement operations have been in process when the current vehicle broke down during the operation. Budgetary constraints coupled with the high cost to replace a vehicle of this nature have made the option of replacement with a new vehicle unavailable.

Budget/Funding: No monetary needs for initial acquisition other than title transfer. Additional work to bring vehicle in-service would mostly be performed by members of the Emergency Services Team. Most equipment would transfer from one vehicle in to the new one.

Legal Evaluation:

Staff Recommendations: Request Approval

Town Manager Recommendation:

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)

Work Session

Town of Front Royal, Virginia
Work Session Agenda Form

Date: July 7, 2014

Agenda Item: Veterans Day Banner

Summary: Staff is investigating a banner sponsorship program that would allow residents to purchase a banner to be attached to our street light poles that would have "Honoring those who have served" at the top of the banner, an image of a service person, and then the name of an individual who has served or is serving in the US Armed Forces. These banners would be displayed for the month of November in observance of Veterans Day, and then would be returned to the individual who purchased the banner.

Council Discussion: Council is requested to consider approving staff developing the Veterans Day Banner program.

Staff Evaluation: As this program was not budgeted, participants would bear the full cost of the banners which the Town estimates to be between \$50 and \$100. The program would allow residents to honor family and friend in the military.

Budget/Funding: The Town will continue to investigate a cost effective banner source. The Director of Finance will be available to address fiscal issues.

Legal Evaluation: The Town Attorney will be available to address legal issues.

Staff Recommendations: Staff recommends developing a participation driven Veterans Day Banner program.

Town Manager Recommendation: The Town Manager recommends developing a participation driven Veterans Day Banner program.

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)





Item No. 3

Town of Front Royal, Virginia Work Session Agenda Form

Date: July 7, 2014

Agenda Item: Liaison Committee Items for July 17, 2014 Meeting

Summary: Council is requested to add items to the Liaison Committee Meeting Agenda scheduled for July 17, 2014. Items will be voted on at the regularly scheduled meeting on July 14, 2014. The agendas from the May Liaison Committee meeting is attached.

Council Discussion: Council takes desired action

Staff Evaluation:

Budget/Funding:

Legal Evaluation:

Staff Recommendations:

Town Manager Recommendation:

Work Session



AGENDA
TOWN/COUNTY LIAISON
COMMITTEE MEETING

Town Administration Building
102 E. Main Street

Thursday, May 15, 2014
6:00 p.m.



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1. **Call to Order**
Timothy Darr, Mayor of Front Royal
 - 1) Liaison Meeting Rules/Regulations
 - 2) Law Enforcement of the Skate Park
 - 3) Catlett Mountain Landfill Improvements
 - 4) Leach Run Parkway Project
 - 5) Waste Water Treatment Plant/Septage Receiving Facility
 - 6) Route 340/522 Corridor
 - 7) FRLP
 - 8) Proposed Park-N-Ride Location
 - 9) Property Boundary Adjustment Process
 - 10) Building Inspection Software
 - 11) Working with citizens on 13th Street w/ regard to parking & mail boxes
 - 12) Morgan Ford - Bridge Project and Water Loop Project
 - 13) Consolidation of the Town & County
 2. **Adjournment**



Item No. 4

Town of Front Royal, Virginia Work Session Agenda Form

Date: July 7, 2014

Agenda Item: Consideration of a Sign Ordinance Amendment for Happy Creek Coffee/Tea

Summary: Councilman Funk asked that this item be placed on an upcoming work session

Council Discussion: Council takes desired action

Staff Evaluation:

Budget/Funding:

Legal Evaluation:

Staff Recommendations:

Town Manager Recommendation:

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action
Consensus Poll on Action: ____ (Aye) ____ (Nay)

Work Session

175-106 SIGNS

A. General Provisions:

1. Purpose and Intent: The purpose of this section is to regulate the size, location, height and construction of all signs placed for public observance; to protect the public health, safety, convenience and general welfare; to facilitate the creation of a convenient, attractive and harmonious community; to protect property values; and to further the urban design and economic development objective of the town plan. To these ends, these regulations are intended to promote signs that are:

- a. Compatible with the landscape/streetscape and architecture of surrounding buildings, including historic sites and structure;
- b. Legible and appropriate to the activity to which they pertain;
- c. Not distracting to motorists; and
- d. Constructed and maintained in a structurally sound and attractive condition.

2. Applicability: These sign regulations shall apply to all signs erected within the Town of Front Royal following the effective date of this ordinance.

3. Sign Permit Required: Except as provided herein, no sign shall be erected, installed, used, altered, relocated, replaced or reconstructed until a sign permit has been issued (and a certificate of appropriateness, if applicable). For the purpose of this Ordinance, all signs are considered accessory uses and accessory structures. Unless specifically qualified, all signs shall be located on the same lot with the principal use to which they pertain.

4. Special Definitions: For the purposes of these sign regulations, unless the context otherwise requires, the following terms shall have the meanings established below:

ANIMATED SIGN - A sign or part of a sign that moves or appears to move, including, but not limited to propellers, discs, digital screens, projections and flashing lights, but specifically excluding the hands of a clock, clocks, digital displays of only the time, date and temperature, weather vanes, and flags.

(Ord. No. 2-12 Amended 1-9-12-Effective Upon Passage)

ARTISTIC MURAL - A work of art (as a painting) applied to and made integral with a building wall that is prepared by a skilled artist and shows imaginative skill in arrangement or execution.

(Ord. No. Z-7-95 Added 6-26-95-Effective Upon Passage)

AWNING SIGN - A sign placed, painted or printed directly on the surface of an awning.

(Ord. No. Z-3-93 Added "*painted*" 11-8-93-Effective Upon Passage)

BANNER - A temporary sign applied to cloth, paper, balloons or fabric of any kind. Governmental flags or symbolic flags of religious, charitable, public or nonprofit organizations shall not be considered banners.

(Ord. No. 2-12 Added "temporary" 1-9-12-Effective Upon Passage)

BILLBOARD SIGN - See "off-premise sign."

CANOPY SIGN - A sign attached or otherwise affixed to a canopy.

(Ord. No. Z-3-93 Amended 11-8-93-Effective Upon Passage)

CHANGE OF USE - Any change from one business activity to another, except a name change for a specific established business activity.

(Ord. No. Z-3-93 Added 11-8-93-Effective Upon Passage)

CHANGEABLE COPY SIGN - A sign or part of a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign.

DIRECTIONAL SIGN - An on-premises sign designed to guide vehicular and/or pedestrian traffic by using such words as "Entrance," "Exit," "Parking," "One Way" or similar directional instruction, but not including any advertising message.

DIRECTORY SIGN - A sign on which the names and locations of occupants or the use of a building or group of buildings is given.

FLAG - Any fabric, cloth, canvas or any non-rigid lightweight material that can be easily folded or rolled and attached to or designed to be flown from a flagpole or similar device and containing distinctive colors, patterns or symbols.

(Ord. No. 2-12 Added 1-9-12-Effective Upon Passage)

FLAG SIGN - A flag used as a sign

(Ord. No. 2-12 Added 1-9-12-Effective Upon Passage)

FLAG SIGN, TRADITIONAL - A flag sign, excluding a sign on a "feather flag", that does not exceed fifteen (15) square feet in area, and no one side exceeding a length of five feet (5').

(Ord. No. 2-12 Added 1-9-12-Effective Upon Passage)

FLAG SIGN, NON-TRADITIONAL - A flag sign other than a traditional flag sign. A "feather flag" is an example of a non-traditional flag sign.

(Ord. No. 2-12 Added 1-9-12-Effective Upon Passage)

FLASHING SIGN - A sign used for identification, direction, advertising or promotion that includes lights which flash, blink or turn on and off intermittently.

FREESTANDING SIGN - See "ground-mounted sign."

GROUND-MOUNTED SIGN - A sign which is supported by structures or supports in or upon the ground and independent of any support from any building.

IDENTIFICATION SIGN - A sign which displays only the address and name or crest, insignia or trademark, occupation or profession of an occupant or the name of any building on the premises.

ILLUMINATED SIGN - A sign illuminated in any manner by an artificial light source, whether internally or externally lit, including neon.

(Ord. No. Z-3-93 Added "neon" 11-8-93-Effective Upon Passage)

INSTITUTIONAL BULLETIN BOARD SIGN - A sign containing a surface upon which is displayed the name of a religious institution, school, library, community center or similar institutional or community service use and the announcement of its service.

MARQUEE - A permanent structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.

MARQUEE SIGN - A sign attached to and made part of a marquee or any other similar projection from a building.

MONUMENT SIGN - A sign affixed to and made an integral part of a structure built on-grade that does not involve the use of poles as its major sign support and is less than eight (8) feet in height.

(Ord. No. Z-3-93 Amended 11-8-93-Effective Upon Passage)

OFF-PREMISES SIGN - A sign which directs attention to a business, commodity, service or establishment conducted, sold or offered at a location other than the premises on which the sign is erected.

PORTABLE SIGN - Any sign, except an exempt sign, that is not permanently affixed to the ground or another structure and is capable of being moved by mechanical or non-mechanical means.

PROJECTING SIGN - Any sign, other than a wall, awning or marquee sign, which is affixed on a building wall perpendicularly, typically by use of brackets.

(Ord. No. Z-3-93 Amended 11-8-93-Effective Upon Passage)

(Ord. No. 2-12 Amended 1-9-12-Effective Upon Passage)

RE-FACE – The act of creating a new sign message by replacing or refurbishing the non-structural components or surface of an existing lawful sign, without creating a new nonconformity to the requirements of this chapter.

(Added 2-25-13-Effective Upon Passage)

ROOF SIGN - A sign erected or constructed, in whole or in part, upon or above the highest point of a building with a flat roof, or the lowest portion of a roof for any building with a pitched roof.

SANDWICH BOARD SIGN – A two-sided, self supporting sign attached at the top with the two sides separated by approximately 45 degrees.

(Ord. No. 12-10 Added 11-22-10-Effective Upon Passage)

SIGN - Any device employing letters, words, symbols, etc., used or intended to attract the attention of the public from streets, sidewalks or other outside public rights-of-ways. For the purposes of this Article, the term "sign" shall include all structural members.

SIGN AREA - The surface area encompassed within any regular geometric figure (square, rectangle, circle, triangle, etc.) which would enclose all parts of the sign, excluding structural supports.

TEMPORARY SIGN - A sign or advertising display designed or intended to be displayed for a short period of time. Unless otherwise specified within this section, a temporary sign may only be used two (2) times within a 12-month period, and for a total time of ninety (90) days or fewer during the same 12-month period of time.

(Ord. No. 2-12 Amended 1-9-12-Effective Upon Passage)

WALL SIGN - A sign attached to a wall, or painted on or against a flat vertical surface of a structure, which displays only one (1) advertising surface.

WINDOW SIGN - All signs attached to or applied directly onto the internal or external surface, or set back less than one (1) foot from the interior surface, of any window in view of the general public from outside the structure.

5. Prohibited Signs: The following signs are expressly prohibited unless specifically stated otherwise

a. Billboards and Off-premise signs.

b. Portable Signs, except sandwich board signs, as defined above, but including signs displayed on a stationary vehicle.

(Ord. No. 12-10 Added "sandwich board signs" 11-22-10-Effective Upon Passage)

c. Changeable Copy Signs, except for approved institutional bulletin boards and gas station fuel price signs as permitted by this ordinance, and where such signs are incorporated as an element within another permanent sign, provided that the changeable copy area does not exceed twenty (20) square feet or fifty percent (50%) of the total sign area, whichever is less.

d. Simulated Traffic Signs or any sign which may be confused with or obstruct the view of any authorized traffic sign or signal.

e. Animated Signs, including but not limited to propellers and discs. This prohibition shall not apply to the hands of a clock, a weather vane or flags.

(Ord. No. 2-12 Removed "pennants" 1-9-12-Effective Upon Passage)

f. Flashing Signs, except for time and temperature signs.

g. Glaring Signs or signs with light sources of such brightness as to constitute a hazard, as determined by the Zoning Administrator.

h. Strings of lights outlining property lines, sales areas or any portion of a structure, unless part of an approved sign or sign structure. This prohibition shall not apply to seasonal decorations.

i. Roof Signs.

j. Signs affixed to a tree, other natural vegetation, rocks, public utility poles or public signs.

k. Signs that obstruct the visibility of intersections or block any window, door, fire escape, stairway or any opening intended for light, air or access to any building.

l. Signs erected in or over a public right-of-way or on public land, except as allowed in the Historic Overlay District, or as specifically approved by the Town Council.

m. Home Occupation Signs, except an address or identification sign as provided in Section 175-106A(6)(a) below.

(Ord. No. Z-3-93 Amended 11-8-93-Effective Upon Passage)

n. Non-traditional Flag Signs, except when used as a temporary sign, as regulated by this Chapter.

(Ord. No. 2-12 Added 1-9-12-Effective Upon Passage)

o. Offensive Signs, including signs that include obscene, indecent or profane language.

(Added 2-25-13-Effective Upon Passage)

6. Exempt Signs: Sign permits shall not be required for the following signs; however, all other applicable regulations of this ordinance shall apply.

- a. Address or Identification sign. Signs indicating the address and/or names of occupants of premises, not exceeding two (2) square feet in area.
- b. Changing the message content of an approved directory, institutional bulletin board, theater marquee or changeable copy element of an approved sign.
- c. Commemorative plaques and historical markers erected by a recognized historical agency or governmental body.
- d. Flags, emblems and insignia of any governmental agency or religious, charitable, public or nonprofit organization; provided, however, that no single flag shall exceed fifty (50) square feet in area and no single zoning lot shall display more than three (3) such flags. If the total area of such flags exceeds seventy-two (72) square feet, the excess area shall be included in the sign area calculations for the zoning lot.
- e. Traditional Flag Signs, provided that the following conditions are met:

[1] Only one (1) exempt traditional flag sign per parcel shall be allowed.

[2] Each exempt traditional flag sign shall be a maximum of fifteen (15) square feet in area.

[3] Words or letters used on an exempt traditional flag sign shall only communicate the language "Open" or "Open for Business", and within the Historic District Overlay District may also identify a non-profit organization or town government.

[4] Compliance with Section 175-106B.3 when located within the public right-of-way on property within the Historic Overlay District.

[5] Shall be located within fifty (50) feet from the building entrance.

(Ord. No. 2-12 Added Entire (e) 1-9-12-Effective Upon Passage)

f. Handicapped Parking Space Sign.

g. Directional Signs, not exceeding three (3) square feet in area and located on private property. Such signs exceeding 2 1/2 feet in height shall be located no closer than 10 feet from the curb line of abutting streets.

(Ord. No. Z-7-95 Amended "f" 6-26-95-Effective Upon Passage)

h. Security and Warning signs. Signs posted on private property warning the public against trespassing or similar messages, provided that any such sign does not exceed 1.5 square feet in area.

i. Private Drive Signs, one (1) per drive entrance, not exceeding two (2) square feet in area, with the message content limited to the words "Private Drive" and the address of any residences utilizing the private roadway.

j. Public Signs, including traffic, utility, parking, directional, identification, public event and festival signs approved by the Town Council and other signs displayed for governmental purposes.

k. Seasonal and temporary displays of patriotic, religious or civic character on private property, not advertising a product or service.

l. Signs not visible beyond the boundaries of the lot or parcel upon which they are located or from any public right-of-way.

m. Temporary political campaign signs on private property not to exceed eight (8) square feet in area and six (6) feet in height. Such signs shall be removed within five (5) days after the election.

(Ord. No. Z-1-02 Amended 3-25-02-Effective Upon Passage)

n. Sandwich Board Signs, subject to the requirements of Section 175-106A.9.e.

(Ord. No. 2-12 Added 1-9-12-Effective Upon Passage)

o. Temporary private yard sale signs, not exceeding three (3) in number per yard sale and not placed in a public right-of-way.

p. Temporary real estate signs, located on the premises, not exceeding five (5) square feet in area for single-family residential districts or eight (8) square feet in area for other zoning districts. No real estate sign shall exceed a height of six (6) feet. One (1) real estate sign shall be permitted per property, except for corner lots, which may have two (2) such signs. Temporary real estate signs shall be removed within seven (7) days of the settlement or lease of the property.

(Ord. No. Z-3-93 Amended 11-8-93-Effective Upon Passage)

q. Temporary window signs shall cover no more than fifty percent (50%) of the window area and shall not be displayed above the first floor. Such signs shall not remain in place for more than eight (8) weeks.

(Ord. No. Z-7-95 Amended "o" 6-26-95-Effective Upon Passage)

r. Vehicle safety inspection signs not exceeding ten (10) square feet in area. Such signs may be either a wall sign or attached to an existing authorized ground-mounted sign structure [one (1) per business] not to exceed the height of the ground mounted sign.

s. The re-facing of a sign, as defined, except when located within the Historic Overlay District or Entrance Corridor.

(Added 2-25-13-Effective Upon Passage)

7. Signs Requiring Temporary Sign Permit: The following signs shall require the issuance of a temporary sign permit by the Zoning Administrator prior to their erection. The permit shall

cite the length of time any such sign may be displayed. If, after the expiration of the temporary sign permit, such signs are not removed, the town may remove them and charge the costs of removal to the enterprise or proprietor responsible.

a. Special Sales Events Signs, exceeding a 14-day display period, announcing such events and grand openings, new management and going-out-of-business sales. Such signs, shall be attached to an existing principal structure or sign pole, shall not exceed twenty (20) square feet in area.

(Ord. No. 2-12 Amended 1-9-12-Effective Upon Passage)

b. Temporary and Seasonal Produce, Fireworks and Tree Stand Signs. The total area of all such signs shall not exceed twenty (20) square feet, nor shall any sign exceed six (6) feet in height.

(Ord. No. Z-3-93 Amended 11-8-93-Effective Upon Passage)

c. Construction Signs not to exceed one (1) per street frontage, limited to a maximum height of eight (8) feet. The total area of all such signs shall not exceed twelve (12) square feet. Such signs shall be removed within fourteen (14) days following completion of construction.

d. Temporary Residential Subdivision and Model Home Identification Signs. One (1) sign may be erected for not more than two (2) years at each principal entrance to the development. Such signs shall not exceed eight (8) feet in height or sixteen (16) square feet in area. In addition, one (1) model home sign of not more than four (4) square feet may be maintained at each model home.

e. Temporary Signs on vacant lots announcing an upcoming event (such as "Coming Soon"). Such signs shall not exceed twenty (20) square feet in size and may be displayed on a given property for one (1) period, not to exceed ninety (90) days, within a twelve-month period.

(Ord. No. Z-3-93 Added "e" 11-8-93-Effective Upon Passage)

8. General Sign Standards:

a. Determination of Sign Height and Setback. The height of a sign shall be measured from the average elevation of the street to which the sign is oriented. The setback shall be measured from the property boundary to the closest point of the sign.

b. Number of Sign Faces. No sign shall have more than two (2) sign faces.

c. Determination of Sign Area. The area of signs shall include the area enclosing the face of the sign, including all frames or other components not otherwise used for support.

d. Area of Signs with Two (2) Sign Faces. The area of a sign with two (2) sign faces shall be computed according to the following:

[1] Sign faces separated by an interior angle of forty-five degrees (45 degrees) or greater, both sign faces shall be included.

[2] Sign faces separated by an interior angle of less than forty-five degrees (45 degrees), one (1) sign face shall be included; provided, however, that the area of the largest sign face shall be used when two (2) faces are unequal in area.

9. Development Standards for Permitted Sign Type: All new signs and all existing signs which are replaced, reconstructed, extended or changed structurally shall comply with the following development standards:

a. Ground mounted sign: Development Standards.

[1] Road Frontage Requirements: Ground mounted signs up to the maximum allowable size shall be permitted on lots with 100 feet or more of lot width. Where a lot has less than 100 feet of lot width, a ground mounted sign shall not exceed thirty-two (32) square feet in size.

(Ord. No. Z-3-93 Amended "1" 11-8-93-Effective Upon Passage)

(Ord. No. Z-7-95 Amended "1" 6-26-95-Effective Upon Passage)

(Ord. No. 2-12 Removed "zoning" 1-9-12-Effective Upon Passage)

[2] Minimum Clearance: Where a ground mounted sign is located within twenty-five (25) feet of an intersecting developed street, or Town-maintained alley, a minimum ten (10) foot clearance from the ground to the bottom of the sign shall be provided. For a monument sign, the placement of the sign shall conform with the requirements of Section 175-101.

(Ord. No. Z-3-93 Amended "2" 11-8-93-Effective Upon Passage)

(Ord. No. Z-7-95 Amended "2" 6-26-95-Effective Upon Passage)

[3] Maximum Height: Twenty (20) feet or the height of the principal structure, whichever is less; provided, however, that the maximum height of any ground-mounted sign serving two (2) or more business uses within 1,000 feet of the right-of-way for Interstate 66 shall be twenty-five (25) feet.

(Ord. No. Z-3-93 Amended "3" 11-8-93-Effective Upon Passage)

(Ord. No. Z-7-95 Amended "3" 6-26-95-Effective Upon Passage)

(Ord. No. Z-2-02 Amended "3" 5-28-02-Effective Upon Passage)

b. Projecting Sign: Development Standards.

[1] Frontage Requirements: Eighteen (18) feet of ground level frontage.

[2] Angle of Projection: Ninety (90 degrees) degrees.

[3] Limit on Projection: Six (6) feet.

[4] Projection over Right-Of-Way. No sign outside the Historic Overlay District shall project over the public right-of-way, unless specifically approved by the Town Council.

(Ord. No. Z-6-92 Amended "4" 6-23-92-Effective Upon Passage)

[5] Minimum Clearance: Seven (7) feet vertical clearance, measured from the established grade directly below the sign to the closest point of the sign.

(Ord. No. 2-12 Amended 1-9-12-Effective Upon Passage)

[6] Maximum Height: Fourteen (14) feet or the lowest point of the roof, whichever is lowest.

(Ord. No. Z-3-93 Amended "6" 11-8-93-Effective Upon Passage)

c. Wall Sign - Development Standards:

[1] Placement, Generally: No wall sign shall cover, cross or otherwise hide columns, belt courses or other decorative architectural features of the building, including balconies.

[2] Maximum Height of Wall Signs: Twenty (20) feet or the lowest point of the roof, whichever is less; provide, however, that the maximum height of any wall sign for a business structure located within 1,000 feet of the right-of-way for Interstate 66 shall be fifty-five (55) feet.

(Ord. No. Z-3-93 Amended "2" 11-8-93-Effective Upon Passage)

(Ord. No. Z-2-02 Amended "2" 5-28-02-Effective Upon Passage)

[3] Limit on Projection: Twelve (12) inches.

[4] Permanent Window Signs: Additional Restrictions. Permanent window signs shall be limited in area to twenty-five percent (25%) of the window area or twenty-five (25) square feet, whichever is less, and shall be included in the sign area calculations.

d. Awning, Canopy and Marquee Signs: Development Standards.

[1] Location: Parallel to the face and not projecting above or below the face of the awning, canopy or marquee.

[2] Limit on Projection: To within one (1) foot of the vertical placement of curbs, but shall in no way interfere or obstruct either pedestrian or vehicular traffic. No such sign outside the Historic Overlay District shall project over the public right-of-way, except as approved by the Town Council.

(Ord. No. Z-3-93 Amended "2" 11-8-93-Effective Upon Passage)

e. Sandwich Board Signs: Development Standards

(Ord. No. 2-12 Added "Development Standards" 1-9-12-Effective Upon Passage)

[1] Location: Shall be located within fifty (50) feet from the building entrance on the same property, and may not be located within the public right-of-way unless a Right-of-Way Utilization Permit is granted by the Town.

[2] Duration of Use: The signs may only be displayed during business hours.

- [3] Number: Only one (1) sandwich board sign shall be permitted per business.
- [4] Appearance: Spray painted lettering on plain plywood, or similar materials, is not permitted.

(Ord. No. 12-10 Added (e 1-6) 11-22-10-Effective Upon Passage)
(Ord. No. 2-12 Amended Entire (e) 1-9-12-Effective Upon Passage)

f. Traditional Flag Signs: Development Standards

- [1] Location: Shall only be located on private property, except where a Right-of-Way Utilization Permit is granted by the Town.
- [2] Maximum Height: Twenty (20) feet.
- [3] Visibility at Intersections: Compliance with Section 175-101.
- [4] Frontage Requirements: Eighteen (18) feet of ground level frontage.
- [5] Projection: If a projecting sign, compliance with Section 175-106A.9.b.

(Ord. No. 2-12 Added Entire (f) 1-9-12-Effective Upon Passage)

10. Construction and Maintenance Standards:

- a. Building Code Compliance. All signs shall be constructed in compliance with the Virginia Uniform Statewide Building Code. All illuminated signs shall comply with the National Electrical Code.
- b. Condition of Signs. All signs and components shall be maintained in good repair and in a safe, clean and attractive condition.
- c. Repair or Removal of Nuisance Signs. Any sign which is declared to be an immediate or imminent hazard to life or property may be caused to be immediately removed or repaired. All costs associated with the removal or repair shall be charged to the owner of the premises or to the owner of the sign.
- d. Removal of Obsolete Signs. Any sign which is obsolete because of discontinuation of the advertised activity or any other reason which would cause the sign to be obsolete shall be removed within thirty (30) days.

11. Nonconforming Signs:

- a. Nonconforming Sign, generally: Any sign which was lawfully in existence at the time of the effective date of this Ordinance which does not conform to the provisions herein, shall be deemed a nonconforming sign and may remain except as qualified in Section 175-160A.11.b, herein. No non-conforming sign shall be enlarged, extended or structurally reconstructed in any manner, unless it is in conformance with these sign regulations. However, a nonstructural sign face may be changed to a new sign face.

(Ord. No. Z-3-93 Amended "a" 11-8-93-Effective Upon Passage)
(Ord. No. Z-7-95 Amended "a" 6-26-95-Effective Upon Passage)
(Ord. No. 2-12 Amended 1-9-12-Effective Upon Passage)
(Amended 2-25-13-Effective Upon Passage)

b. Removal of Nonconforming Signs: Nonconforming signs may remain, provided that they are kept in good repair, except for the following:

[1] Damage or Destruction of Nonconforming Sign: A nonconforming sign which is destroyed or damaged to the extent exceeding fifty percent (50%) of its appraised value shall not be altered, replaced or reinstalled unless it is in conformance with these sign regulations. If the damage or destruction is fifty percent (50%) or less of the appraised value, the sign may be restored within two (2) years of the destruction but shall not be enlarged in any manner. The present day replacement cost of an identical new sign, as determined by a sign contractor or manufacturer, shall be considered the appraised value.

[2] Damage or Destruction of Use: A non-conforming sign shall be removed if the structure or use to which it is accessory is destroyed or demolished to the extent exceeding fifty percent (50%) of the principal structure's appraised value.

(Ord. No. Z-7-Removed "3-Change of Use" 6-26-95-Effective Upon Passage)

B. Signs Permitted by Zoning Districts:

1. Agricultural and Residential Zoning Districts; Permitted Signs:

a. General Regulations:

[1] Minimum Setback: Ten (10) feet from all public rights-of-way unless further restricted by provisions of this section.

[2] Illumination of Signs in Residential Districts: The following signs may be illuminated, by white light only: institutional bulletin boards and residential development identification signs.

b. Signs for Permitted Uses:

[1] Single-Family and Two-Family Dwellings: None, except for those signs exempt from permit requirements.

[2] Residential Developments: Permanent subdivision or development identification signs indicating only the name and/or address of the premises. The identification sign shall be a ground mounted or monument sign, and the maximum sign area shall be determined as follows:

[a] Development of (20) units or less: One (1) ground mounted sign, not to exceed sixteen (16) square feet in area or eight (8) feet in height, at each major street entrance.

[b] Development of (21) units or more: one (1) ground-mounted sign at each major street entrance not to exceed twenty-four (24) square feet in area or eight (8) feet in height.

(Ord. No. Z-3-93 Amended "b" 11-8-93-Effective Upon Passage)

[c] Where signs are incorporated as part of a monumental entrance structure, such as a gateway, archway or freestanding entry columns, the lettering or signage incorporated therein may be physically divided and still considered as one (1) entrance sign. The total of all lettering or signage shall not exceed the maximum allowed in this Section.

[3] General Farming Activities: Two (2) ground mounted farm signs per property up to eight (8) feet in height, with a combined area not to exceed twenty-four (24) square feet.

(Ord. No. Z-3-93 Amended "3" 11-8-93-Effective Upon Passage)

[4] Institutional Signs and Bulletin Boards: One (1) ground-mounted or wall sign per use, not to exceed twenty-four (24) square feet in area and eight (8) feet in height for ground-mounted signs or ten (10) feet in height for wall-mounted signs. The Town Council may, by special permit, approve an increase in size to thirty-two (32) square feet. In addition to the signs otherwise allowed by this section, any educational institution located on not less than fifty (50) contiguous acres and with road frontage on not fewer than four (4) public streets may have up to four (4) ground-mounted identification signs, facing outwards from the grounds of the institution, each not to exceed seventy-five (75) square feet in area and eight (8) feet in height. Two (2) of such signs may have a second face, on the side facing into the institution.

(Ord. No. Z-3-93 Amended "4" 11-8-93-Effective Upon Passage)

(Ord. No. 8-05 Amended "4" 6-13-05-Effective Upon Passage)

[5] Professional Office, Nursing Homes and Bed & Breakfast Homes: One (1) sign not to exceed twenty-four (24) square feet per principal structure and eight (8) feet in height.

(Ord. No. Z-3-93 Amended "5" 11-8-93-Effective Upon Passage)

[6] Medical and Professional Centers: Facilities located within a center of at least two (2) acres in size and including five (5) or more functions or offices planned as an integrated development shall be authorized to erect signs based on the following:

[a] Signs for Individual Establishments or Functions Within Center: Same as for multiple businesses, as outlined in Section 175-106B.2.c.

[b] Center Identification Sign: One (1) ground mounted or monument style sign per street frontage with an area of one (1) square foot per four (4) linear feet of lot frontage on which the sign is to be erected, up to a maximum of sixty (60) square feet. The center identification sign shall display only the name and address of the

center, and establishments located therein. No other ground mounted signs shall be permitted on that same road frontage within the center.

(Ord. No. Z-1-97 Added 4-4-97-Effective Upon Passage)

c. Signs for Accessory Uses:

[1] Accessory Management or Rental Offices: One (1) sign up to four (4) feet in area and four (4) feet in height.

[2] Other Accessory Uses: one (1) sign up to four (4) square feet in area and four (4) feet in height.

2. Business and Industrial Zoning Districts: Permitted Signs.

a. Signs in Business and Industrial Districts: General Regulations:

[1] Development and Construction Standards: All signs requiring a permit shall comply with the development, construction and maintenance standards of Sections 175-106A.9. and 175-106A.10.

[2] Signs Facing Residential Areas: Any sign erected within one hundred (100) feet of either the principal structure of an existing residential use or the boundary of a residential zoning district shall be non-illuminated and limited to thirty-two (32) square feet in area.

(Ord. No. Z-3-93 Amended "2" 11-8-93-Effective Upon Passage)

(Ord. No. Z-7-95 Amended "2" 6-26-95-Effective Upon Passage)

[3] Minimum setback of ground Mounted and Monument Signs: Five (5) feet from any public right- of-way, service drive or entrance.

b. Signs for Individual Businesses: A single business located on one (1) lot or separate businesses located on separate road frontages may erect signs as follows:

(Ord. No. 2-12 Removed "zoning" 1-9-12-Effective Upon Passage)

[1] Maximum Number of Signs Per Business: Five (5); however, only through lots as defined in Section 175-3 shall be permitted to have more than one (1) ground-mounted sign, with only one (1) sign erected on each street frontage. For structures with a gross floor area of 50,000 square feet or more permitted by Special Permit, additional unlimited wall signs may be permitted, within the maximum area permitted by Section 175-106B.2.b[3], as part of a coordinated design package, reviewed in conjunction with the Special Permit. Such structures previously granted a Special Permit may apply for additional signage by amendment to the Special Permit.

(Ord. No. Z-7-95 Amended "1" 6-26-95-Effective Upon Passage)

(Ord. No. Z-5-03 Amended "1" 7-28-03-Effective Upon Passage)

[2] Types of Signs Permitted: Wall, ground mounted, monument style, projecting, window, awning, canopy, marquee, permitted temporary, sandwich board, and traditional flag.

(Ord. No. 12-10 Added "sandwich board style signs" 11-22-10-Effective Upon Passage)
(Ord. No. 2-12 Added "traditional flag" 1-9-12-Effective Upon Passage)

[3] Maximum Size of Signs:

[a] Wall or Marquee Sign: One (1) square foot per linear foot of building width on which the sign is to be attached, up to a maximum of sixty (60) square feet of signage on any building elevation which fronts on a public street or parking area; provided, however, that the maximum size of any wall sign for a business located within 1,000 feet of the right-of-way of Interstate 66 shall be 120 square feet. In addition to the basic 60 square feet sign area, structures permitted by Special Permit with a gross floor area of 50,000 square feet or more, may be permitted to increase the total wall sign area, calculated as described herein, not to exceed 120 square feet of additional area, for a maximum total of 180 square feet. Such additional sign area shall be permitted only as part of a coordinated design package reviewed in conjunction with the Special Permit application. Such structures previously granted a Special Permit for increased building area may apply for additional sign area by amendment to the Special Permit. Artistic murals containing business or product advertising may be approved for a size exceeding sixty (60) square feet by special permit, pursuant to Section 175-136, when located outside the Historic Overlay District or by the Board of Architectural Review, pursuant to Section 175-88, when located within the Historic Overlay District.

(Ord. No. Z-3-93 Amended "a" 11-8-93-Effective Upon Passage)
(Ord. No. Z-7-95 Amended "a" 6-26-95-Effective Upon Passage)
(Ord. No. Z-2-02 Amended "a" 5-28-02-Effective Upon Passage)

[b] Ground Mounted or Monument Signs: On lots with 100 feet or more of lot width, one (1) square foot per three (3) linear feet of lot width on the side where the sign is to be located, up to a maximum size of sixty (60) square feet and a maximum height of twenty (20) feet. Lots with less than 100 feet of lot width shall conform to the maximum size in Section 175-106A.9.a.[1]. On shared signs permitted pursuant to Section 175-106B.2.h. a maximum size of sixty (60) square feet per sign and a maximum height of twenty-five (25) feet for the sign structure including all sign faces.

(Ord. No. Z-3-93 Amended "b" 11-8-93-Effective Upon Passage)
(Ord. No. Z-7-95 Amended "b" 6-26-95-Effective Upon Passage)
(Ord. No. Z-2-02 Amended "b" 5-28-02-Effective Upon Passage)

[c] Awning or Canopy Sign: One (1) square foot per linear foot of the awning or canopy, up to ten (10) square feet.

[d] Projecting Sign: One (1) square foot per linear foot of building width on which the sign is to be attached, up to sixteen (16) square feet.

(Ord. No. Z-3-93 Amended [d] 11-8-93-Effective Upon Passage)

[e] Traditional Flag Sign: Maximum of fifteen (15) square feet, and no one side exceeding a length of five (5) feet.

[f] Sandwich Board Sign: 2' wide and 4' high

(Ord. No. 2-12 Added [e] and [f]-Effective Upon Passage)

c. Signs for a Single Lot Having Two or More Businesses: Multiple businesses located on a single lot may erect signs as follows:

(Ord. No. 2-12 Removed "zoning" 1-9-12-Effective Upon Passage)

[1] Maximum Number of Signs Per Lot: A lot shall be permitted to have erected either one (1) projecting sign and one (1) ground mounted sign on a street frontage, but not both.

(Ord. No. 2-12 Removed "zoning" 1-9-12-Effective Upon Passage)

[2] Maximum Number of Signs Per Business With An Individual Outside Entrance: Two (2), except that one (1) additional sign for a corner unit facing a street or parking lot is permitted. For structures with a gross floor area of 50,000 square feet or more permitted by Special Permit, additional unlimited wall signs may be permitted within the maximum area permitted by Section 175-106B.2.b[3][a], as part of a coordinated package, reviewed in conjunction with the Special Permit. Such structures previously granted a Special Permit may apply for an unlimited number of signs by amendment to the Special Permit.

(Ord. No. Z-7-95 Amended "2" 6-26-95-Effective Upon Passage)

(Ord. No. Z-5-03 Amended "2" 7-28-03-Effective Upon Passage)

[3] Types of Signs Permitted: Wall, ground mounted, monument style, projecting, awning, canopy, window, marquee, traditional flag or permitted temporary.

(Ord. No. 2-12 Added "traditional flag" 1-9-12-Effective Upon Passage)

[4] Maximum Size of Signs: Same as for individual businesses [Section 175 106B.2.b. or multiple businesses located on a single lot [Section 175-106B.2.c.2.

(Ord. No. Z-5-03 Amended "4" 7-28-03-Effective Upon Passage)

(Ord. No. 2-12 Removed "zoning" 1-9-12-Effective Upon Passage)

[5] Directory Sign: One (1) up to sixty (60) square feet in area and twenty (20) feet in height. A ground mounted directory sign precludes the use of any other ground mounted sign on that same street frontage.

[6] Wall Signs For Individual Businesses Sharing A Common Entrance: One (1) wall sign, not to exceed twelve (12) square feet, is permitted for each business tenant.

(Ord. No. Z-7-95 Amended "6" 6-26-95-Effective Upon Passage)

(Ord. No. Z-3-93 Amended "6" 11-8-93-Effective Upon Passage)

[7] Tenant Spaces Under Canopied Walkway: Where tenant spaces are recessed under a canopied walkway, one additional double-faced projecting sign [not to exceed six (6) square feet] located under the canopy adjacent to the main entry of the individual tenant may be permitted.

d. Signs for Commercial, Office and Industrial Centers: Commercial, office or industrial uses located within a center or park of at least two (2) acres in size and including five (5) or more establishments planned as an integrate development shall be authorized to erect signs based on the following:

[1] Signs for Individual Establishments Within Center: the same as for individual or multiple businesses, as appropriate [Section 175-106B.2.b. or c., respectively].

[2] Center Identification Sign: One (1) ground mounted or monument style sign per street frontage, with an area of one (1) square foot per four (4) linear feet of lot frontage on which the sign is to be erected, up to a maximum of sixty (60) square feet. Upon request by the owner or owners of the center or park, and with submission of a master plan showing all proposed signage within the center or park, the Planning Commission may approve, or approve with conditions, an increase to the maximum size for a Center Identification Sign up to a maximum area of 150 square feet, and an increase to the maximum number of Center Identification Signs up to a total of two (2), provided that the total square feet of the two (2) signs does not exceed 150. In review of such a request, the Planning Commission will consider the sign(s) appearance, impact(s) to adjacent properties, proximity to other ground-mounted signs, visibility from adjacent roads, and the overall size of the development. The center identification sign shall display only the name and address of the center and establishments located therein. No other ground-mounted signs, other than exempt signs, shall be permitted on that same road frontage within the center or park.

(Ord. No. 2-12 Amended [2] 1-9-12-Effective Upon Passage)

e. Signs For Gasoline Stations: Automobile service and gasoline stations shall comply with all applicable sign regulations within this section; provided, however, that the following additional regulations shall apply:

[1] Changeable Fuel Price Signs: Ground mounted or monument style signs shall be authorized to include changeable fuel price signs indicating the current price of fuel dispensed on the premises. If the fuel price sign is freestanding, it shall be erected as an integral part of the ground mounted sign and shall not be included in the sign area calculations, except for any portion of the price sign that exceeds fifty percent (50%) of the total sign areas.

(Ord. No. Z-7-95 Amended "1" 6-26-95-Effective Upon Passage)

[2] Gas Pump Signs: Each gas pump shall be permitted a total of one (1) square foot of sign area to identify the product dispensed.

[3] Canopy Signs: A canopy covering gas pumps shall be permitted additional logo signage located on the canopy, not to exceed a total of twenty-four (24) square feet. Such signs shall be included in the maximum number of signs allowed.

f. Signs For Theaters: Theaters are authorized to erect one (1) of the permitted wall or marquee signs with a changeable copy board displaying the name(s) and time(s) of the current motion picture or theatrical production.

g. Signs For Other Uses Within Business and Industrial Employment Districts: In cases where neither the regulations within Section 175-106B.1. or 175-106B.2. specifically address a sign for a permissible use within a business or employment district, the Zoning Administrator shall make a written interpretation of the section, which shall be kept on file and used as a guide for future determinations.

h. Shared signs for businesses located within 1,000 feet of the right-of-way of Interstate 66: Any two (2) adjacent businesses located within 1,000 feet of the right-of-way of Interstate 66 and which share a common highway entrance shall be authorized to erect one (1) sign structure containing a separate sign for each business which may be erected on the property of either business or partially on each property; provided that such sign structure and the signs thereon comply with the provisions of this section with regard to height and maximum size for each sign on the structure.

(Ord. No. Z-2-02 Added "h" 5-28-02-Effective Upon Passage)

3. Signs in the Historic Overlay District:

a. Certificate of Appropriateness Required: Signs within the Historic Overlay District require the approval of a Certificate of Appropriateness by the Board of Architectural Review prior to the issuance of a sign permit by the Zoning Administrator.

b. Area, Height and Location of Signs: The area, height and location standards for the underlying zoning district shall be applicable to signs erected in the Historic Overlay District.

(Ord. No. Z-6-92 Amended "was formerly "d" 6-23-92-Effective Upon Passage)

c. Sign Requirements May Be Waived: The Zoning Administrator may authorize the waiver of the sign requirements for setback, spacing, number, frontage, height, area and type of signs within the Historic Overlay District if the Board of Architectural Review approves a specific sign proposal consistent with the character of the building to which it relates and other surrounding properties. In no case, however, may a sign exceed a maximum of sixty (60) square feet.

(Ord. No. Z-6-92 Amended "was formerly "b" 6-23-92-Effective Upon Passage)

d. Additional Review Criteria: Any sign erected within the Historic Overlay District shall also satisfy all applicable standards and guidelines adopted by the Board of Architectural Review.

e. Signs within the Public Right-of-Way: A sign may be placed within, or project into, the public right-of-way inside of the Historic Overlay District, but only if a Right-of-Way Utilization Permit is issued by the Town.

(Ord. No. Z-6-92 Amended "was formerly "e" 6-23-92-Effective Upon Passage)

(Ord. No. 2-12 Amended (e) 1-9-12-Effective Upon Passage)

C. Administration:

1. Sign Permit Procedures:

a. Applicability: A sign permit shall be required for each sign erected after the effective date of this Article, except for those signs which are specifically excluded from the sign permit requirements as provided in Section 175-106A.6.

(Ord. No. Z-3-93 Amended "a" 11-8-93-Effective Upon Passage)

b. Filing of Application; Fees: Applications for sign permits shall be filed by the applicant or his agent with the Zoning Administrator, shall contain information required herein and shall be accompanied by a fee, as established from time to time by resolution of the Town Council.

c. Information Required: All applications for sign permits shall contain or have attached thereto the following information in either written or graphic form:

[1] Name, address and telephone number of the sign erector and the sign owner.

[2] Position of the sign in relation to adjacent lot lines, buildings, sidewalks, streets and intersections.

[3] Type of sign and general description of structural design and construction of materials to be used.

[4] Purpose of the proposed sign.

[5] Drawings of the proposed sign which shall contain specifications indicating the height, perimeter and area dimensions, means of support, method of illumination, colors and any other significant aspect of the proposed sign.

[6] Size and placement of all existing signs to remain on the property.

[7] Any other information requested by the Zoning Administrator in order to carry out the purpose and intent of these regulations.

d. Recording of Sign Permit: The Zoning Administrator shall maintain a record of all sign permits issued. All sign permits shall be numbered in the order of their issuance.

e. Inspections: A final inspection shall be completed after installation of approved signs. Any discrepancies between the approved sign and the sign as constructed shall be identified and may result in the halt of construction or sign removal, if so ordered by the Zoning Administrator.

f. Revocations: The Zoning Administrator may revoke a permit or approval if it is found that there has been concealment or misrepresentation of material facts in either the application or plans.

g. Appeals: Any decision made by the Zoning Administrator while interpreting or enforcing these sign regulations may be appealed to the Board of Zoning Appeals.

2. Temporary Sign Permit Procedures: All signs requiring the issuance of a temporary sign permit, as established in Section 175-106(A)(7), shall submit all information requested by the Zoning Administrator prior to the issuance of such permit. The approved permit shall include the expiration date of the temporary permit. The applicant may request extensions of said permit for good cause. Temporary signs remaining after the expiration of the permit shall be considered in violation of this chapter and shall be immediately removed.

3. Expiration of Sign Permits; Signs Not Constructed: A sign permit shall expire and become null and void if the approved sign is not completely erected within a period of twelve (12) months from the date the permit was originally issued. The Zoning Administrator may grant one (1) extension of the sign permit for a period of six (6) months, but in no case shall a permit be valid for more than a total of eighteen (18) months. Extensions may be granted only when the proposed sign is in compliance with all current applicable regulations.

4. Variances to Certain Sign Regulations Not Permitted. Unless specifically authorized herein, no variance to the standards established for regulating the size of signs shall be authorized.

(Ord. No. Z-8-91 Amended Entire Section 5-13-91-Effective Upon Passage)



Item No. 5

Town of Front Royal, Virginia Work Session Agenda Form

Date: July 7, 2014

Agenda Item: Recreational Vehicle Parking Discussion

Summary: Vice Mayor Parker asked that this item be placed on an upcoming work session

Council Discussion: Council takes desired action

Staff Evaluation:

Budget/Funding:

Legal Evaluation:

Staff Recommendations:

Town Manager Recommendation:

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action

Consensus Poll on Action: ____ (Aye) ____ (Nay)

Work Session

175-100**RECREATIONAL VEHICLES AND TRAVEL TRAILERS**

A. Recreational vehicles and travel trailers may be stored in a side, corner side, or rear yard of a lot, provided they are stored in a location that meets the minimum yard requirements as would be required for an accessory structure of the same dimensions. Except as provided in subsection B below, no recreational vehicles shall be stored closer to a street than the minimum setback line or yard requirement in any district and occupancy shall be prohibited. Other restrictions, as found under Chapter 158, Section 19.1, apply to the parking of recreational vehicles within the public right of way. (Amended 1-28-13-Effective Upon Passage)

B. Temporary parking of recreational vehicles and travel trailers may be allowed in the front yard only for the following circumstances:

1. Temporary parking of up to three (3) consecutive days, located entirely on private property, and on a paved driveway, for the sole purposes of cleaning and preparing the unit for use or storage.

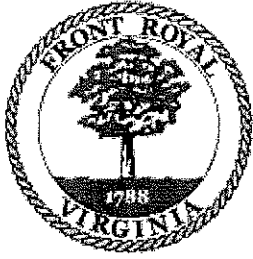
2. Temporary parking of up to fourteen (14) days within any calendar month, up to three times during the calendar year, for temporary accommodation of visitors. The vehicle shall not be permanently connected to public utility system. However, the vehicle may be connected to electricity temporarily for charging batteries or other purpose related to the preparation of the vehicle for use.

3. Temporary parking for the purpose of camping where campgrounds are permitted, or permitted by special use permit.

4. Extensions of time to the above restrictions of this subsection may only be granted under the same conditions as found under Section 175-109.2.E.

(Ord. No. Z-2-96 Amended Entire Section 7-16-96-Effective Upon Passage)

(Amended (B) and Added (1-4) 1-28-13-Effective Upon Passage)



Item No. 6

Town of Front Royal, Virginia Work Session Agenda Form

Date: July 7, 2014

Agenda Item: Reinstate Pilot Fees in Rt 522 Corridor

Summary: Councilman Hrbek asked that this item be placed on an upcoming work session

Council Discussion: Council takes desired action

Staff Evaluation:

Budget/Funding:

Legal Evaluation:

Staff Recommendations:

Town Manager Recommendation:

Council Recommendation:

☐ Additional Work Session ☐ Regular Meeting ☐ No Action

Consensus Poll on Action: ____ (Aye) ____ (Nay)

Work Session

#6
10500

**RESOLUTION REGARDING CONTRACTS FOR RESTAURANT
UTILITY CUSTOMERS AND MOTEL/HOTEL UTILITY
CUSTOMERS IN THE ROUTE 522 SERVICE AREA**

WHEREAS, pursuant to the 1998 Annexation Settlement Agreement with Warren County, the Town has heretofore developed and executed Contracts for water and sewer service to commercial customers in the Route 522 Service Area; and,

WHEREAS, said Contracts call for the payment of utility charges that include a sum representing a payment in lieu of taxes (PILOT); and

WHEREAS, the PILOT component of the utility charges includes, in certain contracts, a sum equal to Meals Taxes and Lodging Taxes that such commercial customers "would pay to the Town" if they were located within the boundaries of Front Royal; and,

WHEREAS, the Honorable Dennis Hupp, Judge of the Circuit Court of Warren County, Virginia, has ruled in a law suit styled *Applebee's Restaurants, etc., et als v. Town of Front Royal*, that three restaurants in the Route 522 Service Area are not, by virtue of the language in their Contracts, legally obligated to pay the Town the Meals Tax component of PILOT, because such Tax is paid by the customers of such restaurants rather than the restaurants themselves, under the current provisions of the Front Royal Code; and

WHEREAS, Lodging Taxes are similarly paid by customers of hotels and motels rather than the motels and hotels themselves, under the current provisions of the Front Royal Code.

NOW, THEREFORE, BE IT, HEREBY, RESOLVED by the Town Council of the Town of Front Royal, Virginia:

(1) that the Director of Finance is, hereby, directed to eliminate, from all Town water and sewer rate schedules and fees, the Meals Tax component of PILOT fees for all food establishment businesses in the Route 522 Service Area, as well as the Lodging Tax component for any hotel/motel in the same said area;

(2) that the Director of Finance is, hereby, directed to eliminate, as of the March 2010 billing, the Meals Tax component of PILOT fees from the monthly bills for all food establishment businesses in the Route 522 Service Area, as well as the Lodging Tax component from any hotel/motel in the same said area;

(3) that, notwithstanding the foregoing, all remaining portions of the PILOT charges described in said Contracts shall be billed and enforced as to said businesses and as to all other businesses within the Route 522 Service area without exception;

(4) that individual food establishment businesses in the same service area who earlier filed protests with the said Director of Finance, as provided by their Contracts, shall be relieved of any liability for the Meals Tax component of such PILOT charges, as of

the date of such filing and thereafter, but that under no circumstances shall the said Director authorize or permit any refunds of any description to such businesses, for the reasons set forth in the aforesaid decision of the said Circuit Court of Warren County, unless directed in that Court's Order of February 2, 2010; and

(5) that the Town Council hereby reserves the right to adopt new rate schedules and fees, as expressly permitted in such Contracts, that reinstitute all or any portion of the Meals Tax and Lodging Tax components of such PILOT charges, applicable to such businesses in the Route 522 Service Area, in the event such Town taxes hereafter are imposed on, and paid by, food establishments and motels/hotels, rather than the customers of such businesses, or in the event the Town obtains appropriate contractual authority from Warren County to include such PILOT charges in the rates applicable to such businesses in the Route 522 Service Area.

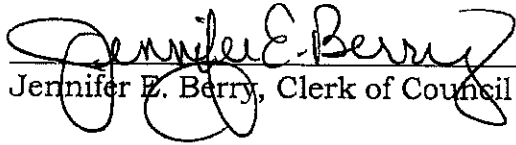
THIS RESOLUTION was approved at the Regular Meeting of the Town of Front Royal, Virginia, Town Council conducted on March 8, 2010, upon the following recorded vote:

Thomas E. Conkey	<u>Yes/No</u>	Chris W. Holloway	<u>Yes/No</u>
Bret W. Hrbek	<u>Yes/No</u>	Carson C. Lauder	<u>Yes/No</u>
Thomas H. Sayre	<u>Yes/No</u>	N. Shae Parker	<u>Yes/No</u>

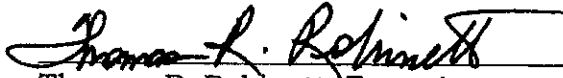
APPROVED:


Eugene Tewalt, Mayor

ATTEST:


Jennifer E. Berry, Clerk of Council

Approved as to form and legality:


Thomas R. Robinett, Town Attorney

Date: 3 / 12 / 10