



PLANNING COMMISSION WORK SESSION
Wednesday, April 5, 2023, 6:00 PM
Town Hall – 2nd Floor, East Conference Room

AGENDA

- I. Call to Order
- II. Roll Call
- III. Work Session Business
 - VDOT Presentation.
 - **Comprehensive Plan** - Certification and recommendation of the new Comprehensive Plan document which shall update and supersede the Front Royal Comprehensive Plan, adopted March 23, 1998. Chapter 22, Article 3: §15.2-2223 through §15.2-2232 of the Code of Virginia outlines the legal authority and requirement that all localities prepare, recommend, and adopt a Comprehensive Plan.
 - **#2300161** – An amendment to Chapter 175-137 Fees, Charges and Expenses of the Town of Front Royal Zoning Ordinance to add the application fee of \$400.00 for processing a Local Board of Building Code Appeals Application.
- IV. Other
- V. Adjournment

#	Project Name	Description	Bike Lanes	Sidewalks	Curb/Gutter	Traffic Calming	On-Street Parking	Limited Access	Type	Planning Level Estimate
1	Leach Run Pkwy Phase 1	Phase 1 of Leach Run Parkway is constructed. Recommendations include working with UFAC to increase the canopy coverage along the new road.	Y	Y	Y	N	N	Y	Arterial	N/A
2	Leach Run Pkwy Phase 2	Extension of Leach Run Parkway north of Happy Creek Road to include a separated crossing over the railroad and realignment of Shenandoah Shores Road. In the long term, consider possibilities for an intersection to I-66 at Shenandoah Shores Road.	Y	Y	Y	N	N	Y	Arterial	\$35 - 41 million
3	East-West Connector West Main St.	A 4 lane roadway from Shenandoah Shores Road to 8th Street.	Y	Y	Y	Y	N	Y	Collector	\$48 - 54 million (half section = \$24 - 26 million)
4	Extension Williams Street	Extension of West Main Street to Kendrick Lane.	Y	Y	Y	Y	Y	N	Collector	\$9 - 13 million
5	Extension Westminister Drive	Extension of Williams Street to connect with the planned Westminister Drive Extension (#6).	N	Y	Y	Y	Y	N	Local	\$4 - 7 million
6	Extension HEPTAD Connector West	Extension of Westminister Drive to Lewis Street at the existing stub street across from Vista Ridge Court.	N	Y	Y	Y	Y	N	Local	\$5.5 - 8.5 million
7	HEPTAD Connector 8 East	Construction of a road to connect Westminister Drive to Lewis Street Extension (#9).	N	Y	Y	Y	TBD	N	Local	\$2 - 4 million
8	HEPTAD Connector 9	Construction of a road from happy Ridge Drive to the planned Lewis Street Extension (#9).	N	Y	Y	Y	Y	N	Local	\$3.5 - 8 million
9	Lewis Street Extension Stuart Drive - Oden Street Connector	Extension of Lewis Street to Leach Run Parkway, Phase 1 (#1). Extension of Oden Street to Happy Creek Road with a connection to Stuart Drive.	N	Y	Y	Y	Y	N	Local	\$8 - 10 million
10	Oden Street East Extension	Construction of a contiguous access road on the east side of Leach Parkway, beginning at the eastern stub of Oden Street to the planned intersection of the Lewis Street Extension (#9) and Leach Run Parkway (#1).	N	Y	Y	Y	TBD	N	Local	\$6.5 - 9 million
11	Royal Lane Extension Kendrick Lane West Extension	Extension of Royal Lane to Remount Road to align with the intersection of East Criser Road / Remount Road. Extension of Kendrick Lane to ultimately cross the Shenandoah River to intersect with the planned Western By-Pass.	N	Y	Y	Y	N	N	Local	\$3 - 4.5 million
12	South Street Streetscape Project	Improvements to South Street to improve pedestrian safety and aesthetics while maintaining the road as a business corridor and truck route. Highest emphasis on safety. See South Street Corridor Study.	Y	Y	Y	Y	N	N	Arterial	Funded Project = \$3.6 million
13	South Royal Avenue	Improvements to South Royal Avenue to improve pedestrian safety and aesthetics while maintaining the road as a business corridor and truck route. Highest emphasis on aesthetics.	Y	Y	Y	N	N	N	Arterial	Study (\$50,000)
14	West Main Street	Improvements to West Main Street to improve pedestrian safety.	Y	Y	Y	Y	Y	N	Collector	Study (\$50,000)
15	Downtown	Improvements to the Downtown Revitalization Area as identified by the Envision 2.0 Downtown Revitalization Plan. Emphasis on parking and pedestrian safety.	Y	Y	Y	Y	Y	N	All	Study (\$100,000)
16	Kendrick Lane	Improvements to the portion of Kendrick Lane to the east of the intersection of West Main Street Extension (#4) / Kendrick Lane. Emphasis on traffic management from future growth.	Y	Y	Y	N	Y	N	Collector	Study (\$50,000)
17	Progress Drive Extension	Extension of Progress Drive to connect with the planned East-West Connector Road (#3)	N	Y	TBD	TBD	TBD	N	Local	Subdivision Development Roadway
18	Mary's Shady Lane Collector	Construction of a north-south collector road in the Marshall Planning Area to accommodate future growth traffic and the existing traffic on Mary's Shady Lane.	N	Y	Y	Y	Y	N	Local	Subdivision Development Roadway
19	FRLP Connector #1	Connector between two separate future development projects to improve mobility.	N	Y	Y	Y	Y	N	Local	Subdivision Development Roadway
20	FRLP Connector #2	Connector between two separate future development projects to improve mobility.	N	Y	Y	Y	Y	N	Local	Subdivision Development Roadway
21	FRLP Connector #3	Connector between two separate future development projects to improve mobility.	N	Y	Y	Y	Y	N	Local	Subdivision Development Roadway
24-29	Reserved	----								Reserved
30	Intersection of 6th St. /Commerce Ave.	Intersection Improvements.	Y	Y	Y	N	N	Y	Arterial	Study (\$30,000)
31	Intersection of N. Royal Ave. / Commerce Ave.	Intersection Improvements.	Y	Y	Y	N	N	Y	Arterial	Study (\$30,000)
32	Intersection of Shenandoah Ave. / Kendrick Ln.	Intersection Improvements.	Y	Y	Y	N	N	Y	Arterial	Study (\$30,000)

DRAFT AMENDMENT
FEES, CHARGES AND EXPENSES

This draft amendment proposed to update the Town's fees related to Planning and Zoning to add a fee for processing the Local Board of Building Code Appeals application.

175-137 FEES, CHARGES AND EXPENSES

A. The Town Council hereby establishes the following schedule of fees, charges, and expenses for zoning permits, certificates of use, special permits, variances, appeals, amendments and other matters pertaining to this chapter.

For processing an Administrative Variance - \$100.00

For processing a Board of Architectural Review request –

- Administrative Review: \$50.00

- Board of Architectural Review: \$100.00

- Demolition of Historically Significant Structure: \$200.00

For processing a Board of Zoning Appeals application - \$400.00

For issuing a Certificate of Compliance - \$25.00

For processing an application to amend the Comprehensive Plan - \$400.00

For processing a Local Board of Building Code Appeals application - \$400.00

For processing an amendment to the Zoning Ordinance - \$400.00

For processing a Rezoning application –

- 1 acre or less: \$500.00

- Over 1 acre: \$500.00 + \$100.00 per acre over 1st acre

- Downzoning: \$400.00

Proffer amendment or Concept Plan/Master Land Use Plan Revision - \$400.00

For processing an application for a Sign Permit –

- Permanent: \$50.00

- Permanent (Entrance Corridor): \$75.00

- Temporary: \$25.00

- Relocation of previously approved sign: no charge for review

Requested Re-advertisement - \$200.00 per meeting

For processing an application for a Special Use Permit - \$400.00

For a Zoning Permit, Commercial Accessories/Additions - \$100.00

For a Zoning Permit, Residential Accessories/Additions - \$25.00

For a Zoning Permit, Multi-Family Residential Dwelling - \$50.00 per unit

For a Zoning Permit, New Commercial - \$100.00

For a Zoning Permit, New Single-Family Residential Dwelling - \$75.00

For a Zoning Permit, Portable Storage Container (Residential or Commercial) - \$25.00 each

For a Zoning Permit, Fences (for all uses) - \$25.00

Construction or Land Disturbance Activity without a Permit – double zoning permit regular fee

Requested Copies –

- Letter Paper Size: \$0.15 per sheet (b&w) or \$2.00 per sheet (color)

- Legal Paper Size: \$0.50 per sheet (b&w) or \$2.50 per sheet (color)

- 11" x 17" Paper Size: \$0.75 per sheet (b&w) or \$3.50 per sheet (color)
- Bond Paper for over 11" x 17" Sizes: \$0.50 per s.f. (b&w) or \$3.00 per s.f. (color)
- Copy of Zoning Ordinance: \$15.00
- Copy of the Comprehensive Plan (each): \$20.00

Editorial Notes:

Proposed new text is shown in highlighted font.



PLANNING COMMISSION - SPECIAL MEETING

Wednesday, April 5, 2023

Immediately Following the 6 PM Work Session
Town Hall – 2nd Floor, East Conference Room

I. CALL TO ORDER

II. ROLL CALL – DETERMINATION OF QUORUM

III. PUBLIC HEARING

- **2300137** - An amendment to Chapter 175 of the Town of Front Royal Zoning Ordinance to amend the definition of “cemetery” to Chapter 175-3; add “cemeteries” as an accessory use to churches in the Residential District (R-3), and to add supplemental regulations for “Cemeteries” to Chapter 175-30.2.

IV. ADJOURNMENT

Town of Front Royal, Virginia

Planning Commission Special Meeting Agenda

Consent Action Administrative Action Public Hearing Discussion

Agenda Item: 2300137 – Ordinance Amendment

MEETING DATE: April 5, 2023

23000137 - An amendment to Chapter 175 of the Town of Front Royal Zoning Ordinance to amend the definition of “cemetery” to Chapter 175-3; add “cemeteries” as an accessory use to churches in the Residential District (R-3), and to add supplemental regulations for “Cemeteries” to Chapter 175-30.2.

STAFF RECOMMENDATION: Town Staff recommends the adoption of the proposed text amendments to Chapter 175 of the Town of Front Royal Zoning Ordinance to amend the definition of “cemetery” to Chapter 175-3; add “cemeteries” as an accessory use to churches in the Residential District (R-3), and to add supplemental regulations for “Cemeteries” to Chapter 175-30.2.

DRAFT MOTION: “I move that the Planning Commission forward a recommendation of approval to the Front Royal Town Council to Chapter 175 of the Town of Front Royal Zoning Ordinance to amend the definition of “cemetery” to Chapter 175-3; add “cemeteries” as an accessory use to churches in the Residential District (R-3), and to add supplemental regulations for “Cemeteries” to Chapter 175-30.2.

NOTE: This is only a draft motion. Alternative motions are also welcome.

PLANNING COMMISSION ACTION:

Moved _____ *Seconded* _____

Merchant _____ *Wells* _____ *Wood* _____ *Marshner* _____ *Williams* _____

Approved Approved w/ Conditions Denied Other

1 **175-3 DEFINITIONS**

2 **CEMETERY** - ~~A place for burial of the human dead.~~ Any land or structure used or intended to
3 be used for the interment of human remains. The sprinkling or interment of ashes on church
4 grounds or their placement in a columbarium on church property shall not constitute the creation
5 of a cemetery. Cemeteries are subject to VA Code 15.2-1111 and 57.26 and may be for public or
6 private use.

7
8 **CHURCHYARD**- an area of land owned by and surrounding a place of worship, other than a
9 cemetery, and is often used as a burial ground for human remains.
10

11
12 **RESIDENTIAL DISTRICT (R-3)**

13 **175-28 STATEMENT OF INTENT (R-3)**

14 The R-3 Residential District is composed of medium-to-high density concentrations of residential
15 uses. The standards for this district are designed to stabilize and protect the essential character of
16 the area so designated and to promote and encourage, insofar as compatible with the intensity of
17 land use, a suitable environment for families desiring the amenities of apartment living and the
18 convenience of being closest to shopping, employment centers and other community facilities.
19 Development is, therefore, limited to medium- to high-density concentration, and permitted uses
20 are limited to single-family, two-family and multifamily dwellings, plus selected additional uses,
21 such as schools, parks, churches and certain public facilities. Home occupations, as defined by
22 this chapter, are permitted. Mobile homes are prohibited.

23 **175-29 USES PERMITTED BY RIGHT (R-3)**

24 A. Subject to the standards and requirements set forth in this Chapter, except as prohibited or
25 restricted by separate restrictions of record that may pertain to property within the R-3 District, the
26 following uses of land and buildings are permitted by-right in the R-3 District:
27

28 **RESIDENTIAL:**

- 29 Duplexes.
- 30 Single-family dwellings, detached
- 31 Townhouses developed on sites of twenty thousand (20,000) square feet up to one (1) acre as set
32 forth in Section 175-112.
- 33 Two-family dwellings.

34
35 **COMMERCIAL:**

- 36 Hospitals and other semipublic facilities of an institutional nature.
- 37 Pharmaceutical centers as set forth in Section 175-108.
- 38 Professional offices as set forth in Section 175-108.
- 39 Nursing homes, as set forth in Section 175-107.

40 INDUSTRIAL:

41

42 ORGANIZATIONS:

43 Churches

44 Schools

45

46 MISCELLANEOUS:

47 Accessory uses, structures and buildings.

48 Churchyard

49 Home occupations.

50 Open space and conservation areas.

51 Public facilities.

52 Public parks and playgrounds.

53 Public utilities.

54 Signs, as set forth in Section 175-106.

55 Special childcare services.

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

58

59 (Amended 3-12-90, 5-14-90, 7-25-05 and 6-22-15-Effective Upon Passage)

60 **175-30 USES PERMITTED BY SPECIAL PERMIT (R-3)**

61 The following uses are permitted within the R-3 District only by approval of a special use permit,
62 except as prohibited or restricted by separate restrictions of record that may pertain to property
63 within the R-3 District:

64

65 RESIDENTIAL:

66 Apartments as set forth in Section 175-113.

67 Townhouses on sites over one (1) acre, as set forth in Section 175-112.

68

69 COMMERCIAL:

70 Bed and Breakfast Uses set forth in Town Code Section 175-107.2.

71 Community Centers (public).

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

74 Day care, and day-care facilities as set forth in the Town Code Section 175-107.1.

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

76

77 INDUSTRIAL:

78

79 ORGANIZATIONAL:

80 Art galleries and museums.

81 Fire and Rescue Squad & Police Stations

82 Public Libraries

83 Community Center (public)

84

85 MISCELLANEOUS:

86 **Cemetery, subject to Section 57-26 Code of Virginia**

87 Any use permitted under Section 175-29, or specifically listed above under this subsection, that
88 proposes to occupy a building or structure that exceeds the height requirements of Section 175-36,
89 subject to the requirements of Section 175-136. Additional heights approved by a special use
90 permit shall be required to increase the required setback and yard area requirements by an
91 equivalent distance from each property line.

92

93 Lodging houses, rooming houses and boarding houses.

94

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

97

98 (Amended 10-23-89. 7-28-08. 7-23-12 and 6-22-15-Effective Upon Passage)

99 **175-30.1 MODEL HOMES AND SALES OFFICES (R-3)**

100 Model homes and sales offices for the marketing of residential dwellings within a specific
101 development shall be permitted in an R-3 Residential Zoning District upon approval of a zoning
102 permit by the Zoning Administrator, subject to the provisions and conditions set forth in Town
103 Code Section 175-12.2.

104

105 (Added Section 1-8-90-Effective Upon Passage)

106

107 **175-30.2 CHURCHYARDS (R-3)**

108 Churchyards shall be permitted in an R-3 Residential Zoning District as an accessory use to a
109 church upon approval of a zoning permit by the Zoning Administrator.

110 A. Churchyard uses shall be set back 150 feet from lot lines.

111 B. Churchyard uses shall be marked with a fence or stone.

112 C. The location of the churchyard shall be recorded on a plat and registered with the Planning and
113 Zoning department.

114

115 **175-31 AREA (R-3)**

116 The minimum lot area in R-3 Residential Districts shall be as follows:

117

118 A. The minimum lot size for a duplex structure is seven thousand five hundred (7,500) square feet.
119 A duplex lot may be further subdivided into separate parcels for each dwelling unit of the duplex,
120 provided that the resulting lot size for each duplex dwelling unit is a minimum of three thousand
121 seven hundred fifty (3,750) square feet.

122 B. The minimum lot size for townhouses shall be as stated in the Town Code Section 175-112.

123 C. The minimum lot size for apartments shall be as stated in the Town Code Section 175-113.

124 D. The minimum lot size for all other uses is six thousand (6,000) square feet. An additional one
125 thousand five hundred (1,500) square feet shall be required for each additional dwelling unit above
126 one (1) for all residential uses other than townhouses, apartments and duplexes.

127
128 (Amended 2-9-87 and 2-13-89 -Effective Upon Passage)

129 **175-32 SETBACK (R-3)**

130 Structures shall be located thirty (30) feet or more from any street right-of-way which is fifty (50)
131 feet or greater in width or fifty-five (55) feet or more from the center of any street right-of-way
132 less than fifty (50) feet in width; however, no building need be set back more than the average of
133 the setbacks of the immediately adjoining structures on either side. A vacant lot fifty (50) feet or
134 more in width may be assumed to be occupied by a building having a minimum setback.

135 **175-33 SETBACK WIDTHS (R-3)**

136 A. The minimum lot width at the setback line shall be sixty (60) feet.

137
138 B. Notwithstanding the provisions of Subsection A, the minimum lot width at the setback line shall
139 be consistent with the established lot width at the setback line for abutting lots fronting the same
140 road or street on either side of the lot to be subdivided, provided as follows:

- 141
142 1. Subsection B shall only apply in cases of new subdivision or resubdivision involving the
143 creation of four (4) or fewer new lots.
144
145 2. Subsection B shall only apply in cases where the aforesaid abutting lots were established
146 and in existence prior to April 10, 1978.
147
148 3. Under no circumstances shall the minimum lot width at the setback line for newly created
149 lots be less than fifty (50) feet, regardless of the setback width of the abutting lots.
150
151 4. All corner lots shall be governed by the provisions of Section 175-37c.
152
153 5. Where abutting lots have differing widths at their setback lines, the minimum setback width
154 for newly created lots shall be consistent with the larger of the two abutting lots, or sixty
155 (60) feet, whichever is lesser.
156
157 6. An "abutting lot" is defined as a lot sharing a common side yard boundary with the lot to be
158 subdivided and fronting the same street as the lot to be subdivided.

159
160 (Amended Section 11-13-89-Effective Upon Passage)
161

162 **175-34 YARDS (R-3)**

163 A. Side: Each side yard shall be a minimum of seven (7) feet.
164

165 B. Rear: Each rear yard shall be a minimum of twenty-five (25) feet.

166
167 C. Front: The required depth of the front yard shall be as provided in Section 175-32. The main
168 or front building facade and entrance for any single-unit residential structure, including duplexes
169 and townhouses, shall be oriented toward the front yard of the property, unless an administrative
170 variance is granted pursuant to Section 175-147.1.

171
172 (Added "C" 2-26-01-Effective Upon Passage)

173
174 D. Accessory buildings shall be setback from side and rear property lines by no less than five (5)
175 feet. No accessory building is permitted within a required front yard.

176 (Added "D" 6-22-15-Effective Upon Passage)

177 **175-35 LOT COVERAGE (R-3)**

178 The maximum building coverage shall be forty percent (40%) unless as otherwise herein provided.

179 **175-36 HEIGHT (R-3)**

180 A. Structures may be erected up to thirty-five (35) feet in height, except that:

181
182 1. The height limit for structures may be increased up to sixty (60) feet and up to five (5)
183 stories, provided that required front, side and rear yards shall be increased one (1) foot for
184 each foot of building height over thirty-five (35) feet.

185 2. Church spires, belfries, cupolas, monuments, municipal water towers, chimneys, flues,
186 flagpoles, television antennas and radio aerials are exempt. Parapet walls may be up to four
187 (4) feet above the height of the building on which the walls rest.

188
189 B. Accessory buildings over one (1) story in height shall be at least ten (10) feet from any lot line.
190 All accessory buildings shall be less than the main building in height.

191
192 (Added "B" 6-22-15-Effective Upon Passage)

193 **175-37 CORNER LOTS (R-3)**

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

196
197 1. For new subdivision applications, the front yard shall be identified by the applicant on the
198 subdivision site plan and approved by the Town on the approved final plat.

199 2. For new construction on existing corner lots where no front yard is designated on the
200 approved final plat, the property owner shall determine the front yard on the Zoning Permit
201 application and shall be approved by the Town on the approved Zoning Permit.

202
203 3. For existing structures, the front yard shall be the yard with frontage that the front façade of
204 the primary building faces.

205

206 4. The approved front yard established by this Code Section shall only be changed by review
207 and approval of a revised final plat approved by the Planning Commission. Such future
208 requests shall be approved if the Planning Commission determines that the proposed front
209 yard is consistent with other properties along the same street frontages.

210
211 **(Amended "A" 6-22-15-Effective Upon Passage)**

212
213 B. The side yard setback on the side facing a side street shall be twenty (20) feet or more for
214 main buildings, and thirty (30) feet or more for accessory buildings.

215
216 **(Amended "B" 6-22-15-Effective Upon Passage)**

217
218 C. Each corner lot shall have a minimum width at the setback line of one hundred (100) feet.

219
220 D. The rear yard setback if facing a street shall be fifty (50) feet or more for both main and
221 accessory buildings.

222
223 **(Added "D" 6-22-15-Effective Upon Passage)**

224
225
226
227