

The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at [www.frontroyalva.com](http://www.frontroyalva.com).

The Planning Commission meeting of the Town of Front Royal, Virginia was held on January 19, 2022, at 7:00 PM.

**Present:** Douglas Jones, Chairman  
Connie Marshner, Vice Chairman  
William Gordon, Commissioner  
Darryl Merchant, Commissioner  
Joshua Ingram, Commissioner

**Staff:** Lauren Kopishke, Planning Director/Zoning Administrator  
Connie L. Potter, Executive Assistant

### **CALL TO ORDER**

Chairman Jones called the meeting of the Planning Commission to order at 7:05 pm. He dispensed of the roll call as he personally observed that every member of the Commission was present.

### **CITIZEN COMMENTS**

There were no citizen comments.

### **MINUTES**

There were no minutes for review.

### **PUBLIC HEARINGS**

There were no items for public hearing.

### **CONSENT AGENDA**

There were no items on the consent agenda.

**OLD BUSINESS**

- **FRZORDAM-2976-2021** – An ordinance amendment to Town Code Chapter 175 ZONING pursuant to the action by the Front Royal Town Council on November 22, 2021, for short-term rentals.

Ms. Kopishke explained there were two (2) copies of the proposed ordinance before the Planning Commission. The copy with yellow highlights is the document sent to Town Council for their work session on January 10, 2021, and the red-line version has the recommended changes from Planning Commission members from the December meeting. Town Council asked that “The parking of vehicles is prohibited in or along all rights-of-way and in yards.” be removed from item E.

Commission members noted some formatting changes that were needed that were not brought up as part of the amendments made at the last Planning Commission meeting. It was noted there will be locations in town where people will have to park on the street. Ms. Kopishke explained the original intention was to keep cars parked in the driveway. She believes it is Town Councils wish that parking is not restricted to driveways only, so that individuals can also use on-street parking.

Commissioner Ingram noted that this change in the ordinance is contradictory to the short-term rental Property Management Plan that states: “Parking is limited to (number) cars in the driveway. Under no circumstances should cars park along the roadway.” Ms. Kopishke stated this could be removed from the Property Management Plan.

Chairman Jones clarified that the understanding is that Town Council wants to allow parking on the adjacent streets. The Commission can vote on that and include the comment that Town Council might examine where there are inconsistencies in the two (2) documents.

Commissioner Ingram asked if this could be a condition to a special use permit.

Ms. Kopishke believes it to be Town Council’s intention that as the special use permits are reviewed, they be business friendly and not restrictive on the applicant therefore wanting the parking restriction removed.

Commissioner Merchant asked if the Property Management Plan was taken from the County. Ms. Kopishke confirmed that it was adopted from the County Property Management Plan. Commissioner Merchant did not think there were any locations in the town where the shooting of firearms or fireworks are permitted. Whereas in the county there are areas where use of a firearm is permitted. That is not an option for an owner or occupant in the town limits. Secondly, he asked Ms. Kopishke if she had discussed any options regarding short-term rentals in the residential zones at the last meeting with Town Council after he had indicated he did not think that short-term rentals were completely appropriate for all residential zones or all zones within the town. He did not think it was appropriate in industrial zones and he still has severe reservations regarding short-term rentals in residential zones.

Ms. Kopishke said she had not specifically discussed that with Town Council. By allowing short-term rentals by special use permit if Town Council feels it is not appropriate in that particular neighborhood for that particular application, they have the right to deny the application. It would be a case-by-case basis.

Vice Chairman Marshner said she has heard from people in the community that in residential neighborhoods people are not comfortable having a “company” owning the house next door to them for the following reasons: 1) a company will outbid the local market and drive out the local people to own a home; and 2) the lack of supervision. People are more comfortable with homes that are owner occupied. She would like to hold a work session to discuss how to work through how to handle the residential neighborhood and short-term rentals. Vice Chairman Marshner said she would like to see some type of restriction against companies owning short-term rentals in residential neighborhoods.

***Commissioner Merchant moved, seconded by Vice Chairman Marshner to postpone action on FRZORDAM-2976-2021 the ordinance to amend the Town Code Chapter 175 regarding short-term rentals and bring the item up at their next scheduled work session in February.***

Commissioner Ingram expressed he would like to get this off the agenda and he believes Town Council has their heart set on this.

Commission members discussed possible work session dates.

Commissioner Merchant restated his motion.

***Commissioner Merchant moved to postpone action on FRZORDAM-2976-2021 an ordinance to amend Town Code Chapter 175 Zoning regarding short-term rentals until after a work session on proposed changes.***

Mr. Sonnett advised postponing to a date certain.

***Commissioner Merchant amended his motion to add to postpone this until a February 3<sup>rd</sup> work session.***

Mr. Sonnett advised that it needs to be postponed to a meeting at which the Planning Commission can vote.

***Commissioner Merchant amended his motion to postpone action on this until their February 17<sup>th</sup> meeting.***

Point of clarification. The next Planning Commission regular meeting is February 16<sup>th</sup> and not the 17<sup>th</sup>.

***Commissioner Merchant amended his motion to postpone action on this until their February 16<sup>th</sup> meeting.***

VOTE:        Yes – Ingram, Marshner, Gordon, Merchant, Jones  
               No – N/A  
               Absent – N/A  
               Abstain – N/A

ROLL CALL

Commissioner members agreed to hold a work session on February 2, 2022.

- **CIP Update FY23-27** – Kathleen Leidich.

Assistant Town Attorney, Kathleen Leidich provided an update on the Capital Improvement Plan (CIP). Also present to provide updates were Robbie Boyer, Director of Public Works and David Jenkins, Director of Energy Services.

The CIP is a plan that looks at the current planning fiscal year and the following five (5) years. It provides help to the decision-making process and the budgeting process for Town Council. A tool for them to prepare looking at plan expenses, revenue needs for the town as well as setting the funding priorities for the upcoming fiscal year and proceeding years. The CIP is updated annually. Completed projects are removed and priorities are adjusted as needed. For this CIP there have been four (4) public meetings. A recommended motion has been presented for the Planning Commission to consider.

Public Works Director Robbie Boyer reviewed the primary paving plan and noted these are the primary roads in town such as Shenandoah Avenue, Commerce Avenue, 14<sup>th</sup> Street, and N. Royal Avenue. For the primary paving plan, they will try to use as much VDOT funding as possible. The secondary paving plan, which are the secondary roads, receive maintenance funding and are based off of the annual inspection reports. The new sidewalk installation plan was included with the paving plan. The 8<sup>th</sup> Street bridge replacement was placed in the VDOT revenue sharing with \$1,380,000.00 being the towns half of the payment. Also set for rehabilitation/refurbishing is the auto maintenance building.

The switch gear raw water pump station and VFD is for the Luray Avenue pump station. This goes along with the raw water pump upgrade that has already taken place. This project is updating the existing station that was originally installed in 1994. Clear well upgrades occurring at the water treatment plant where the town houses finished water. John Marshall Highway water improvements are required at the PRV vault at Leach Run and John Marshall Highway. At the intersection of John Marshall Highway and Colonial Drive there is a piece of 8” water line between the 12” water lines. This will be upgraded so that the water flow at this location will not be restricted going down Route 55 and Leach Run parkway. Mr. Boyer responded to questions by Commission members.

Director of Energy Services, David Jenkins explained the Happy Creek substation expansion at Route 606 at the end of the town’s limit. It was originally built for two (2) power transformers and four (4) breakers. Currently there is one (1) transformers and two (2) breakers. Since the new hospital and new middle school has been constructed in that area they feel more will be built there and want to reserve money for this expected construction. Power transformers and breakers will

need to be purchased. Mr. Jenkins proceeded to explain the need for the Kendrick Substation transformer replacements, Manassas Avenue Substation transformer replacements and the Automated Metering Infrastructure (AMI). In the next 2-3 years meters will be changed out on every house in town which they are starting to save for that upcoming project. This project will be done all at once and not in a phased approach.

Commissioner Gordon expressed that he did not understand what the Planning Commission is being asked to do.

Ms. Leidich explained that staff makes a presentation of the CIP to the Planning Commission. In most jurisdictions it is mostly staff that develops the priorities and brings it to the Planning Commission to get feedback. It is also one more opportunity for the public to hear the proposed CIP and is part of the annual budgeting process.

Commissioner Gordon asked how the Planning Commission can be useful. He agrees it is good for the public to hear about the CIP, however the Planning Commission is not contributing or adding advice and doesn't know how they are expected to do that with what they have been presented. In the past a binder had been presented with backup for everything listed on the proposed CIP. Not sure that is needed but there should be a better process, a more collaborative process going forward.

With regard to the decisions on which roads to repair or replace, Ms. Leidich explained that Public Works has a grading system where they look at the condition of roadways throughout the town and this is how they prioritize projects. She suggested that as the Planning Commission is going through the planning process, they can provide the planning director the priorities they would like to see covered in the budget. Make the Planning Commission more aware of what the budgeting calendar is and different points at where the Commission can interject some additional input into the process.

Commissioner Gordon said he thought they should move this on with a recommendation of approval to Town Council. He asked for clarification of whether this was the CIP for fiscal year 23-27 or 22-27. Ms. Leidich clarified this was for fiscal year 23-27.

***Commissioner Ingram moved, seconded by Vice Chairman Marshner that the Planning Commission forward the FY 22-27 Capital Improvement Plan to the Town Council with a recommendation of approval.***

***Commissioner Gordon moved to amend the motion to be fiscal year 23-27.***

VOTE:            Yes – Gordon, Marshner, Ingram, Merchant, Jones  
                       No – N/A  
                       Absent – N/A  
                       Abstain – N/A

ROLL CALL

Commissioner Merchant thanked Ms. Leidich for her work on the CIP presentation. He also thanked Mr. Boyer and Mr. Jenkins for their work during the very difficult conditions from the recent ice storm. Commission members agreed.

### **NEW BUSINESS**

There were no items for new business.

### **DIRECTOR'S REPORT**

- Existing Conditions Report presentation.

An Existing Conditions Report was provided to Commission members. Ms. Kopishke reviewed the report provided by Summit who is working on the Town Comprehensive Plan. It contains demographic, economic, and geographic data. Below are some highpoints listed in the report:

- Population growth in the next twenty (20) years will create the need for an additional 2200 homes within town limits.
- 95% of the population in the town were born in the United States.
- 76% of the homes are single-family attached or detached dwellings and 24% are some type of multi-family dwelling.
- Of the homes in town, 42% are rented as opposed to owner occupied.
- 39-59% of homes were built in the earlier part of the century before 1970.
- 16% of Front Royal residents fall under the poverty limit and appears to be equally distributed racially.
- Valley Health and the hospital are the largest employer followed by Martins and Rural King.
- The town is a “bedroom community”. 63% of the population works outside of the town and a ¼ of people that live in town commute more than an hour to work.
- 94% of roads are public and 6% are private.
- 84% of houses have access to broadband internet.
- 43% of land in town is undeveloped.
- 20% of the land in town is not suitable for development due to steep slopes, shrink swell soils and/or located in the floodplain.

Ms. Kopishke said the Existing Conditions Report, the survey as well as the interactive map are still up on the Comprehensive Plan website. In addition, there is an area on the website that residents can log in and type in what they see as the vision for the town.

Commissioner Merchant asked if this document could be placed on the next Planning Commission work session to address changes that need to be made in the documents. Ms. Kopishke confirmed it could be placed on the next work session agenda. She noted that the next time Summit can come and meet with staff is in May.

