



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 for a limited time.

The Planning Commission meeting of the Town of Front Royal, Virginia was held on August 16, 2023, at 7:00 PM at the Warren County Government Center.

CALL TO ORDER

Chairman Merchant called the meeting of the Planning Commission to order at 7:00 pm.

ROLL CALL

Present: Darryl Merchant, Chairman
Daniel Wells, Vice Chairman
Connie Marshner, Commissioner
Glenn Wood, Commissioner
Michael Williams, Commissioner

Staff Present: Lauren Kopishke, Planning Director/Zoning Administrator
John Ware, Deputy Zoning Administrator
George Sonnett, Assistant Town Attorney
Connie L. Potter, Executive Assistant, Clerk of the Planning Commission

ADDITION/DELETION OF ITEMS FROM THE AGENDA

There were no changes to the agenda.

CITIZEN COMMENTS

There were no citizen comments.

PUBLIC HEARING

- **2300481 – Juliana and William Kryssing** – A Special Use Permit request for a 210 square foot mural on the north facing side of the building and a 400 square foot mural on the south facing side of the building located at 1314 N. Royal Avenue and identified by tax map 20A2-4-56-7A. The property is located in the C-1, Community Business District and in the Entrance Corridor Overlay District.



Mr. Ware explained this was a Special Use Permit application for a sign/artistic mural larger than 60 square feet on two (2) sides of the structure located at 1314 N. Royal Avenue. The property is located in the C-1, Community Business District and in the Entrance Corridor Overlay District.

As per Town Code 175-106.A.4 under definitions a sign is “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 purpose of this Article, the term “sign” shall include all structural members.

As per Town Code 175-106.A.4 under definitions for a wall sign is “a sign attached to a wall or painted on or against a flat vertical surface of a structure which displays only one (1) advertising service.

As per Town Code 175-106.B.2.b.3a A Wall or Marquee Sign is “one square foot per linear foot of building width which the sign is to be attached up to a maximum of 60 square feet. Artistic murals containing business or product advertising may be approved for a size exceeding sixty (60) square feet by Special Use Permit, pursuant to Section 175-136, when located outside the Historic Overlay District...”.

Mr. Ware virtually showed the proposed mural/sign to be located coming south on N. Royal Avenue which would encompass 210 square feet and the mural/sign on the other side of the building containing 400 square feet which would be viewed going north on N. Royal Avenue. The code defines the mural and sign definition basically any mural is a sign as per the definitions. It is used or intended to attract the attention of the public. Therefore, a wall sign permit is required, and the maximum size would be determined by the length of the building wall. One square foot per linear foot of the building with a maximum of 60 square feet. A Special Use Permit allows that to be increased over the 60 square foot maximum that Town staff could approve administratively.

Chairman Merchant explained the public hearing process.

The applicant, William Kryssing, 1250 High Knob Road, Front Royal, VA shared that they moved into the building on April 30, 2023 and want the mural approved for the October 7, 2023 grand opening. He stated he knew of a Special Use Permit but did not know they would need a Special Use Permit for the murals until about a month and a half ago. Mr. Kryssing said they are trying to expedite the process for approval to meet the grand opening date and weather conditions for painting the building.

Chairman Merchant opened the public hearing.

There were no speakers present. Chairman Merchant closed the public hearing.



Commissioner Wood noted that the Special Use Permit application was received in the Planning & Zoning office on July 17, 2023. He realizes the process is not always an easy one, but he thought it was a little unfair to say to the staff they need to expedite the application. Commissioner Wood said he understood Mr. Kryssing made a special request in front of Town Council to expedite the process and he hoped that Mr. Kryssing understood that the Planning Commission and Town Council have fast tracked the application and will hopefully be resolved in August. He said that the Town is very appreciative of the improvements that have been made to the building.

Mr. Kryssing answered questions from Commission members explaining that the base color of the stucco would be grey, and the murals would be painted on the grey base. He also explained additional signage they would like to place on the building.

Ms. Kopishke stated that any additional signage would require a Sign Permit Application submitted to Planning and Zoning for review.

Chairman Merchant mentioned there are large murals that have been permitted in the Historic District, but the proposed large mural request is new to the Entrance Corridor. He stated that a Special Use Permit (SUP) runs with the land forever per se and asked if the Planning Commission could set a time limit on the SUP if the applicant sells the building to someone else.

Town Attorney, George Sonnett answered that it cannot be based on change of ownership.

Chairman Merchant asked if the building is sold would the new owners of the building have to keep the mural or would they be allowed to paint over it.

Mr. Sonnett said that new owners would be allowed to abandon the use.

Commissioner Williams stated with reference to agenda item 2300481, First Response Chimney Sweep and the applicants request for a Special Use Permit for a mural he moved, seconded by Vice Chairman Wells to forward a recommendation of approval to Town Council .

VOTE: Yes – Marshner, Wells, Williams, Wood, Merchant
 No – N/A
 Abstain – N/A
 Absent – N/A

ROLL CALL

- **2300462 – Ordinance Amendment** a text amendment to Town Code §175-110.5 Performance Standards for Urban Agriculture that would allow up to ten (10) chickens in Town limits based on square footage of coop and run space.



Mr. Ware reviewed the proposed changes to the existing Urban Agriculture ordinance. Commission members were given a line-item copy of the proposed ordinance changes and he referenced each line that included changes.

- Line Item 23 – increase up to ten (10) female chickens.
- Line Item 42 – under H. Add: Chickens and rabbits shall be in compliance with the following:
 1. Such animals must be confined in a chicken coop, or rabbit hutch not less than 18 inches in height. The chickens must be kept within the coop and or run and the rabbits in the hutch at all times. No poultry shall be permitted to run at large.
 2. The coop must be used for chickens only and the hutch for rabbits only, and both must be well ventilated.
 3. The coop or hutch shall have a minimum of four (4) square feet of floor area for each chicken or rabbit.
 4. Run space for a coop shall have a minimum of eight (8) square feet for each chicken.
 5. The run must be well drained so there is no accumulation of moisture.
 6. The coop or hutch shall be kept clean, sanitary, and free from accumulation of animal excrement and objectionable odors. The floor and walls of the coop must be kept in a clean, sanitary and healthful condition, with all droppings and organic waste material removed and disposed of in a proper manner.
 7. All feed or other material intended for consumption by chickens or rabbits shall be kept in containers impenetrable by rats or other rodents, and such containers shall be equipped with tightly fitting caps or lids. The presence of rats in an area used for the keeping of fowl shall be prima facie evidence that such area is maintained in violation of this section.

In summary, the proposed amendment is to increase the number of chickens allowed from six (6) to ten (10) and the added sections to increase the coop and run area for the chickens.

Commissioner Wood asked if the changes permitted roosters in Town which is mentioned under line item 33.

Mr. Ware answered no, they are not permitted.

Commissioner Marshner referred to line item 45 stating that “No poultry shall be permitted to run at large”. She asked if chickens would be allowed out of the coop in a fenced yard.



Mr. Ware stated that the chickens would only be allowed in the coop and run area. They are not allowed to run at large.

Chairman Merchant opened the public hearing.

There were no speakers present. Chairman Merchant closed the public hearing.

Ms. Kopishke stated there were a few additional language changes.

Mr. Sonnett said they wanted to address those at the meeting.

Ms. Kopishke said the goal is to change from allowing six (6) to ten (10) chickens and adding additional performance standards.

Chairman Merchant asked if there had been any complaints about chickens other than roosters crowing.

Mr. Ware explained that staff will be doing inspections on two (2) previously permitted sites to observe if they have brought their sites into compliance.

Commissioner Wood asked if at future inspections would a copy of the new ordinance be given to the owners, so they are made aware of the proposed changes if approved.

Mr. Ware said that applicants with existing Urban Agriculture Permits would be informed of the changes when the yearly inspections are conducted once the amended ordinance goes into effect.

Chairman Merchant shared that when the ordinance was initially discussed one of the concerns mentioned at the public hearing was disease. Professional chicken growers were worried that having backyard chickens would allow disease to possibly occur. As far as he knows staff has not received any reports of chicken illness in Front Royal.

Mr. Ware said he was not aware of any illnesses with the chickens in Town. When an Urban Agriculture Permit is submitted it is sent to the extension agency for review of the management plan. The extension agency reviews the management plan for size of the coop and run area and disposing of waste and when that gets approved by them it is forwarded back to staff to do the final approval to issue the permit.

Ms. Kopishke went through the changes to the ordinance with an explanation of those changes.

Mr. Sonnett said the changes were to add clarity to the proposed ordinance.



The following additional changes are to be made to the proposed ordinance:

1. Line 4 - ...food growing practices conducted as an accessory use “in residential districts” that may include the raising of crops,....
2. Line 12 – remove “when located on a lot less than 1 acre.”
3. Line 21 – it should read “in additional one (1) year increment upon expiration; “without reapplication” provided that,....
4. Line 23 – Single family, duplex or two-family dwellings “located in residential districts” shall be permitted to keep up to ten (10) female chickens...
5. Line 43 – add the word “chicken” in front of coop.
6. Lines 76 & 77 – strike “except where such sale or services is allowed as a principal use of the property.”

Commissioner Wood moved, seconded by Vice Chairman Wells to forward a recommendation of approval to Town Council for text administration 175-110.5 with the inclusion of the six (6) items discussed by the Planning Director to be included in the document to the Clerk.

VOTE: Yes – Merchant, Williams, Wells, Wood
 No – N/A
 Abstain – Marshner
 Absent – N/A

ROLL CALL

NEW BUSINESS

- **2300208 – Randolph-Macon Academy** – A Site Plan Application has been submitted for six (6) faculty housing units located on a 21.6560-acre lot identified on tax map number 20A5-14-4A. The property is zoned R-1, Residential District.

Mr. Ware explained that the application is for six (6) faculty housing units located off of W. Main Street. The units will sit adjacent to the existing road on campus. Since the last Planning Commission work session, the Civil Engineer has addressed staff comments that pertain to the site plan. The existing road will be improved where the six (6) units will be constructed. As shown in the aerial view, access will be from the campus and not from W. Main Street. Emergency Services will have an avenue to get through the chain link fence on W. Main Street if needed but this will not be public access to the faculty housing units. Mr. Ware noted that the only item missing was the erosion and sediment control review by the County.

Chairman Merchant thanked staff for their work on this project. He noted this was not a public hearing but a review by the Commission and will not be forwarded to the Town Council for review.



Commissioner Wood moved, seconded by Vice Chairman Wells that the Planning Commission approve a site plan application 2300208 for the six (6) faculty housing units located on tax map 20A5-14-4A subject to the final approval by warren county.

VOTE: Yes – Williams, Wood, Marshner, Merchant, Wells
 No – N/A
 Abstain – N/A
 Absent – N/A

ROLL CALL

- **Moving the date of the September regular meeting from Wednesday, September 20, 2023 to Monday September 18, 2023 and to be located at Town Hall at 7 PM.**

Ms. Kopishke explained that staff was requesting to move the meeting because they will be attending VAZO training for certification on September 20, 2023.

Commissioner Williams moved, seconded by Commissioner Wood to move the Wednesday, September 20, 2023 meeting to Monday, September 18, 2023 at 7 PM at the Town Hall.

VOTE: Yes – Marshner, Wells, Merchant, Wood, Williams
 No – N/A
 Abstain – N/A
 Absent – N/A

ROLL CALL

- **Election of new Chair and Vice Chair.**

Commissioner Williams moved, seconded by Commissioner Wood to hold new elections for Chairman and Vice Chairman at the September 18, 2023 meeting .

VOTE: Yes – Merchant, Marshner, Williams, Wells, Wood
 No – N/A
 Abstain – N/A
 Absent – N/A

ROLL CALL

COMMISSION MEMBER REPORTS

Commissioner Williams said that he and Commissioner Wood had attended the opening session of the Certified Planning Commissioner Program in Richmond. The closing session will be at the end of September.



PLANNING DIRECTOR REPORT

- July Monthly Report

Ms. Kopishke reviewed the July monthly report.

She thanked Chairman Merchant for his service on the Planning Commission and presented him with a commemorative gift.

Chairman Merchant said this was his final meeting as Chairman of the Planning Commission and serving five (5) years on the Commission. He thanked the Town Council for appointing him to the Planning Commission and also thanked staff. Prior to serving on the Planning Commission, he was employed by the Town in the Planning and Zoning Department for ten (10) years. He thanked Ms. Kopishke and Mr. Sonnett for their service and professionalism and said he has enjoyed working with everyone. Chairman Merchant said that he wishes to serve the community in other ways and will continue in public service to his community to make it a better place.

ADJOURNMENT

Commissioner Williams moved, seconded by Commissioner Wood to adjourn the meeting.

VOTE: Yes – Marshner, Wells, Merchant, Wood, Williams

No – N/A

Abstain – N/A

Absent – N/A

VOICE VOTE

The meeting was adjourned at 7:49 p.m.

Approved by Planning Commission

Date: 10/18/2023