R05-104

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the 17th day of May, 2005:

Present	Vote
James S. Burgett, Chairman	Yea
Walter C. Zaremba, Vice-Chairman	Yea
Sheila S. Noll	Yea
Kenneth L. Bowman	Yea
Thomas G. Shepperd, Jr.	Yea

On motion of Mrs. Noll, which carried 5:0, the following resolution was adopted:

A RESOLUTION TO SPONSOR AN APPLICATION TO AMEND CHAPTER 24.1, ZONING, YORK COUNTY CODE, TO ALLOW CERTAIN CONCESSIONS FOR THE WIDTH OF FRONT LANDSCAPE YARDS AND SIGN PLACEMENT FOR PROPERTIES THAT ABUT UNUSUALLY WIDE EXPANSES OF UNUSED HIGHWAY RIGHT-OF-WAY

WHEREAS, it has come to the attention of the Board of Supervisors that the normally applicable front landscape yard and sign placement standards may create hardships for businesses located along primary highways having unusually wide expanses of unused right-of-way between the travel lane and the front property line of such parcels; and

WHEREAS, the Board wishes to consider establishing opportunities for relief from the normally applicable standards in cases where such highways are not programmed or planned for widening; and

WHEREAS, in the interest of good zoning practice the Board wishes to sponsor an application to allow these proposed amendments to be reviewed and considered in accordance with applicable procedures for zoning ordinance text and map amendments;

NOW, THERERFORE, BE IT RESOLVED by the York County Board of Supervisors this the 17th day of May, 2005 that it does hereby sponsor an application for amendment of Chapter 24.1, Zoning, of the York County Code to consider the proposed amendment set forth below.

BE IT STILL FURTHER RESOLVED that the proposed amendment be, and it is hereby, referred to the York County Planning Commission for review, public hearing and recommendation in accordance with applicable procedures.

Add new Section 24.1-223.1, as follows:

Section 24.1-223.1. Special requirements adjacent to unused rights-of-way

In the case of a parcel abutting a primary system highway that is not planned for widening in the current Virginia Department of Transportation Six-Year Plan or in the current Regional Transportation Plan, if the front property line of said parcel is 50 feet or more from the edge of the existing pavement the 20-foot front landscaped yard required by section 24.1-244 may be reduced to five feet, provided that the Virginia Department of Transportation will allow the landscape planting requirements specified by section 24.1-242 to be met by plantings placed in the right of way, and the 10-foot setback for signs required by section 24.1-702 may be waived and the sign may be located at the front property line or, in the event the Virginia Department of Transportation authorizes such placement through a land lease or permit arrangement, may be located within 10 feet of the front property line of the parcel and within the VDOT right-of-way. Should such lease/permit be terminated by VDOT, the property owner shall be responsible for relocating the sign to comply with all applicable sign setback standards then in effect.

A Copy Teste:

Mary Ellen Simmons

Mary Ellen Simmons
Deputy Clerk