

MINUTES
YORK COUNTY PLANNING COMMISSION

Regular Meeting
York Hall, 301 Main Street
January 13, 2021

MEMBERS

Montgoussaint E. Jons
Glen D. Titus
Mary P. Leedom
Michael S. King
Robert T. Criner
Robert W. Peterman
Bruce R. Sturk

CALL TO ORDER

Chair King called the electronic meeting to order at 7:00 p.m.

ROLL CALL

The roll was called and all members were present or participating remotely via electronic means. Staff members participating remotely were Timothy C. Cross, Deputy Director of Planning and Development Services; Justin R. Atkins, Assistant County Attorney; Amy Parker, Senior Planner; Earl W. Anderson, Senior Planner; and Daria Linsinbigler, Planning Assistant.

REMARKS

Chair King called the meeting to order and stated that the meeting was being held by electronic means without a quorum being physically assembled in one place, pursuant to an emergency ordinance adopted by the York County Board of Supervisors on June 16. He stated that the meeting is being held remotely under the emergency “continuity of government” ordinance adopted under Code of Virginia Section 15.2-1413, allowing public meetings of County boards, commissions, and authorities to meet remotely. He said the action was taken because of the health emergency resulting from the coronavirus pandemic, making an assembly of the Commission and staff and members of the public in one place unsafe because of the highly contagious nature of the coronavirus pandemic. Chair King noted that as with all live Planning Commission meetings, this meeting is available to watch live on WYCG-TV, Cox Cable Channel 46, Verizon FiOS Channel 38, or live streaming at yorkcounty.gov/TV. He introduced himself, stating that he was physically present in the Board Room at York Hall, along with the other Commission members and County staff participating remotely.

Earl W. Anderson, Senior Planner; explained the procedures for the electronic meeting.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Chair King led the Pledge of Allegiance.

Mr. Criner moved to adopt the minutes of the regular meeting of November 18, 2020 and December 9, 2020. The motion was approved (7:0).

CITIZEN COMMENTS

There were no citizen comments.

PUBLIC HEARINGS

Application No. PD-55-21, Schottenstein Realty Company: Request to amend the York County Zoning Map by reclassifying four parcels of land, consisting of approximately 6.4 acres, located at 500, 512, 516, and 600 Merrimac Trail (Route 143) and further identified as Assessor's Parcel Nos. 10-10-A, 10-10-B, 10-10-C, and 10-21, from GB (General Business) to PDR (Planned Development Residential) for the purpose of redeveloping an existing motel (the George Washington Inn and Conference Center) into a 125-unit rental apartment building. The parcels are designated for General Business in the Comprehensive Plan. The General Business designation is intended to provide opportunities for retail and other commercial uses oriented primarily toward supplying goods or services for a community or regional market. The proposed apartment building would have a maximum density of 19.5 dwelling units per acre. The applicant has voluntarily proffered to develop the property in accordance with the submitted sketch plan and rendering; to limit the number of two-bedroom apartments to a maximum of 30; to provide various recreational amenities and design features; to demolish the existing outbuilding in front of the motel; and to eliminate an existing entrance on Merrimac Trail.

Timothy C. Cross, Deputy Director of Planning and Development Services, summarized the staff report dated December 21, 2020, stating that staff recommends the Commission forward the application to the Board of Supervisors with a recommendation of approval subject to the conditions set forth in proposed Resolution No. PC20-23.

Chair King opened the public hearing.

Gregory Davis, attorney with Kaufman and Canoles, 4801 Courthouse Street, Suite 300, spoke as the applicant's representative. He introduced other project team members and stated that the applicant, Schottenstein Realty, has decades of experience in both commercial and retail development, but in more recent years the company has focused on redeveloping motel properties. Mr. Davis presented photos of previous Schottenstein redevelopment projects. He referred to the development plan, stating that the out-building and conference center will be demolished and one of the driveways eliminated. He stated that the fence to the rear of the property will be reestablished and repaired and landscaping added. Mr. Davis stated that the George Washington Inn has been in decline for several years and is no longer viable as a hotel. He stated that Schottenstein Realty will invest more than \$6 million in the property, and he outlined various features of the project, including recreational amenities, increased green space, a sidewalk and a bike lane along Merrimac Trail. Mr. Davis noted that in the citizen survey conducted as part of the 2013 Comprehensive Plan update, 80% of upper County residents expressed support for rezoning blighted properties. He added that the applicant solicited input from neighboring property owners and others and that the project will have a positive fiscal impact as well as the spinoff benefit of residents patronizing businesses in the "Edge district." He asked the Commission to recommend approval.

Mr. Criner asked if the resident manager would be an hourly employee or live on the premises.

Mr. Davis responded that an on-site management company will initially be available to sign leases and once the property is occupied, a manager will live on-site.

Mr. Jons said he is happy to see a project that provides affordable housing and asked how the rent structure would focus on the targeted income groups.

Mr. Davis responded that a number of physical limitations will place a cap on rents. He noted that the units are smaller and lack the amenities that more expensive apartment complexes offer.

Mr. Jons stated that while visiting the property, he noticed there were bicycles outside and he asked if bicycle storage was a consideration based on the age group of future tenants.

Mr. Davis said the developer expects to rent to younger tenants who will use their bicycles extensively. He added that the project will include an indoor bike storage facility for weather and security purposes.

Mr. Jons asked if the school-related costs are properly accounted for in the fiscal impact analysis.

Mr. Davis stated that staff estimated that about 28 new students would be added to the school system and noted the number was generated by using a per bedroom multiplier. He stated that the estimate provided by a local property management firm was closer to eleven students based on a comparison with a nearby apartment complex in the City of Williamsburg. He stated that regardless of which number is correct, the conclusion remains that the project will not be a fiscal drain on the County.

Mr. Jons asked if the projects shown in the presentation were also examples of workforce housing.

Mr. Davis confirmed that he presented similar projects and noted that rents in those examples were higher because they were located in larger metropolitan areas.

Mr. Titus asked about three comments received from residents of Middletowne Farms. Specifically, he asked if the informal trail can be either improved or eliminated, if the neighboring residents could have an opportunity for input into the plant species to be used in the buffer, and if a crosswalk across Merrimac Trail could be provided.

Mr. Davis responded that the trail is a complicated issue because some people like from the trail because it provides access to Merrimac Trail while others have concerns about allowing people to use the trail to access their neighborhood. He stated that the applicant intends to repair the fence to close off the walking trail. Regarding landscaping, he said his client welcomes the neighbors' input on the landscaping plan. As far as the crosswalk, he said he understood the request to be directed toward the County, and he said his client would be supportive.

Chair King commented that the \$6 million estimate seemed low considering the overall condition of the property.

Jeffrey Schottenstein, owner of Schottenstein Realty Company, responded that the rough budget includes completely renovating the exterior and that the estimate for each unit is about \$30,000 to \$33,000. He stated that the roof is in decent shape with just minimal repairs needed. He added that a few PTAC (packaged terminal air conditioner) units will need to be replaced but most of them are less than two years old. He noted that the utilities will be included in the rent structure since

they cannot be separately metered out.

Mr. Jons asked about the timeframe for completing the project.

Mr. Schottenstein said he hopes to have plans approved within 90 days of Board of Supervisors approval, with construction commencing around June and occupancy beginning during the first quarter of 2022.

Michael Westenberg, 494 Catesby Lane, said he has been a Middletowne Farms resident for over twenty years and a past president of the Magruder Elementary School PTA. He stated his initial concern was the school impact but that based on the information presented he does not think it will be significant. He added that he is concerned about other development projects affecting the school system in the upper County. Mr. Westenberg stated that he was pleased to learn that the fence along the rear of the property will be improved, although it might only serve to divert foot traffic.

Ron Struble, 205 Shady Bluff Point, said he is a member of the “Preserve Fenton Mill” group and the Conserve York County Foundation. He stated that members were approached to provide input for the project and while the group does not specifically endorse projects, he said that he is in favor of restoring dilapidated properties, reducing impervious areas, and making affordable housing available. He said he does not object to this application, but that schools in the upper County are at or near capacity because of four residential rezonings approved over the last five years. He stated that rezonings cause the School Board to request more funding and estimated that each new student increases the capital cost to \$110,000 for school space. Mr. Struble opined that this application will eventually cost taxpayers an additional \$1.3-\$3.1 million dollars. He said this project might be worth the costs, but reiterated not to overlook the real price of the project when considering approval.

Doug Holroyd, 103 Marina Point, 205 Shady Bluff Point, agreed with earlier points that the project is in line with what the Merrimac Trail area is trying to achieve. He expressed the same concerns about school costs voiced by Mr. Struble. He said that the fiscal impact statement focuses on revenue generation and does not include school capital costs, which he felt should be included in future studies.

Darci Tucker, 218 Skimino Road, said that as a member of the previously mentioned groups, she is grateful the applicant sought their input. She stated that this corridor of the County would greatly benefit from the added green space and the close proximity to shopping and that the amenities would benefit Colonial Williamsburg employees and the community at large. She stated she is in favor of this application.

Sekou Billings, 110 North Joshua’s Way, said that he supports project because it will provide affordable housing in addition to improving a property that has been in decline. He noted that the true fiscal impact is unknown without knowing the occupancy rate.

There being no one else wishing to address the Commission on this application, **Chair King** closed the public hearing.

Mr. Jons stated that this area has high transit ridership and that fact, paired with the proposed bike facilities, will help cut back on car usage. He added that affordable workforce housing is needed for people who work in Colonial Williamsburg and in the retail and food service sectors.

Mr. Peterman said he is in favor of this project. He agreed that the hotel has been in decline and that the new project will offer affordable housing and mobility without cars.

Mr. Criner stated that he also favors the project and that the applicant has done a wonderful job with their planning and development. He said that he is skeptical about the \$6 million estimate.

Chair King agreed that the hotel could cost more to renovate, but said he was pleased that someone is willing to invest in a property that needs it. He stated that this application addresses various objectives of the Comprehensive Plan, including affordable housing and linkage to public transportation. Regarding the fiscal impact raised by a couple of citizens, he said that having children in the community is a positive thing and that they are worth public investment. He said he is in favor of the application and is not opposed to going against the General Business designation in the Comprehensive Plan for a project that addresses other aspects of the Plan.

Mr. Criner moved the adoption of Resolution No. PC21-1.

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION TO REZONE APPROXIMATELY 6.4 ACRES LOCATED AT 500, 512, 516, AND 600 MERRIMAC TRAIL FROM GB (GENERAL BUSINESS) TO PDR (PLANNED DEVELOPMENT RESIDENTIAL)

WHEREAS, Schottenstein Realty Company has submitted Application No. PD-55-21 to amend the York County Zoning Map by reclassifying four parcels of land, consisting of approximately 6.4 acres, located at 500, 512, 516, and 600 Merrimac Trail (Route 143), further identified as Assessor's Parcel Nos. 10-10-A, 10-10-B, 10-10-C, and 10-21, from GB (General Business) to PDR (Planned Development Residential) subject to voluntarily proffered conditions; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 13th day of January, 2021, that Application No. PD-55-21 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation for approval to amend the York County Zoning Map by reclassifying four parcels of land, consisting of approximately 6.4 acres, located at 500, 512, 516, and 600 Merrimac Trail (Route 143), further identified as Assessor's Parcel Nos. 10-10-A, 10-10-B, 10-10-C, and 10-21, from GB (General Business) to PDR (Planned Development Residential), subject to the voluntarily proffered conditions set forth in the proffer statement titled "PROFFERS; WYANDOTT APARTMENTS," dated January 5, 2021, and signed by Himansu Patel, President, Amarnath Ohio Real Estate, LLC and Jeff Schottenstein, CEO, Schottenstein Realty Co., and the following conditions:

1. A site plan, prepared in accordance with the provisions of Article V of the Zoning Ordinance, shall be submitted to and approved by the Division of Development Services

prior to the commencement of any development, redevelopment, land clearing, or construction activities on the site. Said site plan shall be in substantial conformance with the sketch plans titled “Conceptual Plan: George Washington Inn Apartments” and “Conceptual Landscape Plan: George Washington Inn Apartments”, prepared by AES Consulting Engineers and dated December 11, 2020, as supplemented by the “Community Impact Assessment For George Washington Inn Apartments At Merrimac Trail” prepared by AES Consulting Engineers and dated September 25, 2020, copies of which shall remain on file in the office of the Planning Division.

2. Architectural design of the redeveloped building shall be in substantial conformance with the building rendering received by the Planning Division on October 21, 2020, a copy of which shall remain on file in the office of the Planning Division.
3. The maximum number of apartment units shall be 125 and shall include studio apartments, one-bedroom units, and a maximum of thirty (30) two-bedroom units.
4. Freestanding signage shall be limited to a single monument-type sign along Merrimac Trail with materials and colors that are consistent with the architectural design of the apartment building.
5. Existing portions of the structure exceeding the forty-foot (40’) height limit set forth for residential structures in Section 24.1-361(d)(4)d.1 of the Zoning Ordinance may be maintained.
6. A sidewalk and shoulder bike lane shall be constructed within the Merrimac Trail right-of-way as depicted on the sketch plan and shall meet all applicable Virginia Department of Transportation (VDOT) standards and shall be installed prior to the issuance of a Certificate of Occupancy for the apartment building.
7. The landscape buffer along the rear property boundary shall be supplemented with a six-foot high opaque security panel fence/sound barrier installed for a distance of at least 150 feet as depicted on the referenced landscape plan. The fencing shall be located on the top of the slope along the rear property line so as to maximize the screening benefits for the adjoining residence. Fencing colors and materials shall be approved by the Zoning Administrator. Plantings within the landscape areas along the rear boundary of the site (exclusive of the proposed dog run) shall be in accordance with the requirements for a Type 50 transitional buffer set forth in Section 24.1-243(a)(3) of the Zoning Ordinance.
8. As depicted on the referenced sketch plans, the existing eastern entrance to the site shall be eliminated and replaced with a landscape area, including trees and shrubs. The normally required twenty-foot (20’) front landscape yard shall be provided, to the extent possible given the existing and proposed driveway and parking lot configurations, along the entire Merrimac Trail frontage, either on the subject property or, with the concurrence of the Virginia Department of Transportation (VDOT) as to landscape plantings, within the wide expanse of unpaved right-of-way adjoining the property.
9. All site lighting (existing and proposed) shall comply with the outdoor lighting requirements set forth in Section 24.1-260(f) of the Zoning Ordinance. Any existing fixtures not meeting these standards shall either be removed or modified for compliance. A photometric plan detailing all fixtures and ground illumination levels shall be submitted

for approval by the Development Services Division at the time of application for site plan approval.

10. In accordance with Section 24.1-201(b) of the Zoning Ordinance, interior parcel boundaries shall be vacated through the preparation and recordation of a survey plat prior to the issuance of any land disturbing permits and/or building permits for the proposed development project.
11. All exterior doors shall be labeled in accordance with the York County Model Door Numbering System.
12. The existing Fire Department Connection (FDC) that is attached to the building shall be relocated away from the building. The new location will be determined by the Fire Code Official during the site plan review process.
13. A Post Indicating Valve shall be installed on the existing sprinkler system.
14. The existing fire hydrant located at the entrance that is to be removed shall be relocated to the entrance in the area of the proposed monument sign.
15. In accordance with Section 24.1-114(e)(1) of the York County Zoning Ordinance, prior to site plan approval, a certified copy of the ordinance authorizing this rezoning, together with a duly signed copy of the proffer statement, shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the York-Poquoson Circuit Court.

On a roll call the vote was:

Yea: (7) Leedom, Criner, Sturk, Peterman, Jons, Titus, King
Nay: (0)

Application No. ZM-189-21, Parkway Center, LLC: Request to amend the York County Zoning Map by reclassifying an 8.8-acre parcel of land located at 500 Marquis Parkway from EO (Economic Opportunity) to GB (General Business) subject to voluntarily proffered conditions. The property is occupied by an approximately 105,000-square foot former department store building (JC Penney), which the applicant intends to convert into a multi-use building that would be anchored by a church and ancillary facilities, with a minimum of 20,000 square feet reserved for Educational, Commercial/Retail, and/or Business/Professional Service uses as set forth in categories 5, 10, and 11 in the Zoning Ordinance Table of Land Uses (Section 24.1-306). The applicant has also proffered to prohibit certain specified uses that would otherwise be permitted in the GB district, either by right or with a Special Use Permit. The property is designated Economic Opportunity in the Comprehensive Plan. The Economic Opportunity designation is intended to guide a mix of office, light industrial, commercial, and tourist-related uses to certain portions of the County that have or are planned to have the access and infrastructure necessary to support both capital- and labor-intensive uses.

Chair King announced that he would recuse himself from considering and voting on this application because of a potential conflict of interest since he is an employee of the U.S. Navy. He asked the Vice Chair to preside over this portion of the meeting.

Timothy C. Cross, Deputy Director of Planning and Development Services, summarized the staff report dated December 30, 2020, stating that staff recommends the Commission forward the application to the Board of Supervisors with a recommendation of approval through the adoption of proposed Resolution No. PC21-2.

Vice Chair Titus asked if there was any interest in including a senior center for the upper County.

Mr. Cross responded that to his knowledge, no such interest has been expressed. He added that the County did consider establishing a branch library at the Marquis many years ago when it was envisioned as a “lifestyle center” but that there was not much citizen support.

Mr. Sturk asked when the last highest and best use master plan for the Marquis was proposed.

Mr. Cross responded that the 2007 master plan was the most ambitious plan, showing 1.2 million square feet of space. He added that the plan was scaled back dramatically a few times, but that under the current approvals, there is potential for another 240,000 square feet of commercial space.

Vice Chair Titus opened the public hearing.

Vernon Geddy, attorney for Geddy, Harris, Franck, & Hickman, 1177 Jamestown Road, spoke as the applicant’s representative and introduced other project team members. He commended County staff for its professional and cordial help. He explained that Parkway Center, LLC is a newly formed company that will be the purchasing both the building and the site. He explained that Foundation Church Williamsburg is the sole member of the LLC but that there is a plan to bring in other investors in the future. The church, he said, is a rapidly growing non-denominational Christian church that has outgrown its previous location and is currently conducting services at a local motel on a temporary basis. Mr. Geddy stated that originally the applicant planned to lease a portion of the building but has since decided to purchase the building in its entirety, giving the church a permanent home along as well as providing small-scale retail businesses, restaurants, a day care center, and for group meeting space. He noted both the Planning and Economic Development staff endorse the proposal. Mr. Geddy said the church has spearheaded outreach efforts and met with neighbors and other stakeholders, all of whom have expressed support for the project. He asked the Commission to recommend approval.

Mr. Jons asked about the project schedule.

Barry DuVal, Chair of the church’s Building Committee, stated that the applicant hopes to acquire the building in the spring following approval by the Board of Supervisors and that the team is developing a budget and identifying interested investors. Mr. DuVal stated that the assembly portion of the building could be completed by Christmas. He stated that the church is open to making its space available for large events such as symphony concerts and school graduations.

Ms. Leedom stated that she is impressed with the application and is familiar with other facilities that have successfully followed a similar model.

Vice Chair Titus commented that during the pandemic, the only restaurants that seem to be

successful are those with drive-through facilities and that he did not see how the current layout could accommodate drive-through service.

Mr. DuVal responded that he hopes that with the availability of the COVID-19 vaccine, people can again enjoy indoor dining by the fall. However, he added, the applicant is exploring the possibility of modifying the building to accommodate drive-through service as well as indoor dining.

Mr. Criner asked about the size of the church congregation.

Mr. DuVal responded that at last Sunday's two services, there were a combined total of 300 to 350 people in attendance, including seventy children, and he said the church hopes to exceed that number by the end of the year. He said the new church will seat about 1500 and he expects to have 75% of those seats full within a year and a half.

Mr. Jons stated that a letter was received from the Navy regarding noise from the explosive ordnance detonation range and asked if that was of any concern to the church.

Mr. Geddy responded that it is not.

Sekou Billings, 110 North Joshua's Way, stated that having a community church along with outreach activities and businesses is a win-win and he supports it.

There being no one else wishing to address the Commission on this application, **Vice Chair Titus** closed the public hearing.

Mr. Jons stated that when the JC Penney store closed, it had negative impact on foot traffic at the Marquis. He said a lot of retail has moved to online shopping, so the potential to draw in people to the local retail stores is viewed favorably. He added that large buildings will have to be adapted and repurposed to make them a viable part of the business community as well as serve the needs of citizens.

Mr. Peterman commented that the Marquis Hills residential subdivision being developed on the Marquis South Pod would provide a built-in customer base for retail businesses in the proposed multi-use building. He said he supports the project.

Mr. Criner stated that the proposal was well thought out and represents a good use of the space, and he agreed that the proposed adaptive reuse of the building would be good for the community.

Mr. Sturk moved the adoption of Resolution No. PC21-2.

**A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION TO
REZONE 8.8 ACRES AT 500 MARQUIS PARKWAY FROM EO TO GB
SUBJECT TO VOLUNTARILY PROFFERED CONDITIONS**

WHEREAS, Parkway Center, LLC has submitted Application No. ZM-189-21 to requests to amend the York County Zoning Map by reclassifying an 8.8-acre parcel of land located at 500 Marquis Parkway and further identified as Assessor's Parcel No. 11-04-00-007 (GPIN H13b-4652-2897) from EO (Economic Opportunity) to GB (General Business) subject to voluntarily proffered conditions; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 13th day of January, 2021, that Application No. ZM-189-21 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to amend the York County Zoning Map by reclassifying an 8.8-acre parcel of land located at 500 Marquis Parkway and further identified as Assessor's Parcel No. 11-04-00-007 (GPIN H13b-4652-2897) from EO (Economic Opportunity) to GB (General Business) subject to voluntarily proffered conditions set forth in the proffer statement titled "PROFFERED CONDITIONS" dated December 17, 2020, and signed by Rob Chesson, Sole Member, Marquis Investments LLC, and Michael Hines, Manager, Parkway Center, LLC.

BE IT FURTHER RESOLVED that in accordance with Section 24.1-114(e)(i) of the York County Zoning Ordinance, a certified copy of the ordinance authorizing this rezoning, together with a duly signed copy of the proffer statement, shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court prior to the approval of a site plan or the issuance of any building permits for the subject property.

On a roll call the vote was:

Yea: (6) Criner, Sturk, Peterman, Jons, Titus, Leedom
Nay: (0)

Application No. ZT-185-20, York County Board of Supervisors: Consider amendments to Sections 24.1-281, 282, 283, and 284 of the York County Zoning Ordinance pertaining to home occupations. Proposed changes would specify the accessory nature of home occupations; allow home occupations as a matter of right with any combination of up to four (4) resident employees, non-resident employees, or clients; remove the requirement limiting public contact to the period from Monday through Saturday; remove the list of specific home occupations permitted as a matter of right; require a Special Use Permit for home occupations that generate a demand for five (5) or more parking spaces or that exceed 400 square feet or 25% of the floor area of the principal residence or when providing day care to more than three (3) adults or involve certain commercial or passenger-carrying vehicles; remove prohibitions on the charging of fees and retail sales of seafood for home occupations for the of docking workboats and off-loading seafood; and revise the list of prohibited home occupations by removing gift shops and adding convenience stores, small engine and equipment repair, tattoo parlors, gambling and gaming establishments, and those involving vehicles used in the transportation of hazardous material.

Earl Anderson, Senior Planner, summarized the staff report dated December 30, 2020, stating that staff recommends the Commission forward the application to the Board of Supervisors with a recommendation of approval of the amendments set forth in proposed Resolution No. PC21-3.

Mr. Criner voiced concerns about noise levels caused by some home occupations and asked how the issue was being addressed.

Mr. Anderson responded that the ordinance prohibits such as things noise, odor, and smoke and could result in enforcement actions by Zoning and Code Enforcement staff. He added that the County also has a Noise Ordinance.

Mr. Criner expressed concern there could be a steady stream of customers driving to a house with a home occupation.

Mr. Anderson explained that if the intensity of use exceeds four persons at a time, a resident would need to apply for a Special Use Permit. He noted that most home occupations are smaller and have limited numbers of people coming and going.

Mr. Criner said he is concerned about large trucks being allowed to come into neighborhoods for home occupations – such as an oyster business, for example – which would not be regulated as long as the trucks are not parked on the street overnight.

Mr. Anderson explained that large vehicles exceeding the allowable gross weight cannot be operated from the property without a Special Use Permit. He added that the language may need to be revised to reflect the intent of the Home-Based Business Committee in regulating oversized vehicles operating in conjunction with a home occupation but not necessarily from the property.

Mr. Criner stated that he would support such a change.

Mr. Jons asked about the size of the Zoning and Code Enforcement staff.

Mr. Anderson responded that it consists of the Zoning and Code Enforcement Supervisor and three full-time inspectors. He added that the Supervisor, Ms. Goode, is available for questions.

Mr. Jons said that he agrees with expanding allowances for home-based businesses but that compliance should be assured. He stated there need to be adequate resources to manage enforcement.

Mr. Anderson stated that the Zoning and Code Enforcement staff conducts an annual review, including inspections, of all properties with active Special Use Permits. He added that under the proposed amendments, staff would be able to handle any enforcement action if necessary.

Mr. Jons said that he has a concern about allowing tow trucks because of noise and flashing lights. He felt they should be prohibited.

Mr. Anderson responded that vehicles over a certain gross weight would only be allowed with a Special Use Permit. He said the Committee was cognizant of this issue and had a lot of conversation about it but decided to leave some flexibility through the public hearing process to recognize different circumstances associated with these businesses.

Mr. Sturk agreed with Mr. Jons and Mr. Criner and added that it is important to carefully consider all of these issues as the Commission considers what to allow within residential neighborhoods.

Mr. Titus stated the Committee talked a lot about parking and noise. He said the Committee worked hard to find the right balance for making home businesses safe and productive in the community without being too invasive.

Chair King said he agrees with some of the concerns that have been raised but added that it is difficult to draft a perfect ordinance. He said there may need to be further revisions to the ordinance in the future to address issues that arise. He said that he is in support of the ordinance and is pleased with the amount of input from citizens and the work done by the Committee.

Mr. Jons asked Ms. Goode for her opinion of the suggested changes.

Dina Goode, York County Zoning and Code Enforcement Supervisor, responded to an earlier question about staffing. She said that she has two full-time inspectors and one part-time inspector. She stated that zoning enforcement is complaint-driven, and the inspectors do not just drive around looking for violations. She said if a complaint is received, they will investigate it within two or three days and contact the property owner to try and mitigate the problem if there is one.

Ms. Leedom stated that in addition to RC (Resource Conservation) and RR (Rural Residential), there is a third zoning district in the Seaford area where there is a lot of boating and water-related activity. She asked if that zoning is still in place and if those issues are being addressed.

Mr. Anderson responded that the home occupation ordinance applies to all the residential zoning districts, including the R33 district Ms. Leedom is referring to.

Ms. Leedom asked if docking of work boats and offloading seafood would still be allowed only in rural residential (RR) and residential commercial (RC).

Mr. Anderson said that is correct.

Mr. Jons commented that there is an incorrect phone number posted on the internet for York County Zoning.

Mr. Anderson said he would let the County's webmaster know about it.

Chair King opened the public hearing.

Melissa Davidson, Assistant Director of Economic Development for York County, stated that served on the Home-Based Business Committee (HBBC) and that these businesses are an important part of the County's business community and that it was imperative that the regulations governing them be reviewed and updated. She stated the County has developed a comprehensive business assistance program targeted to help home-based businesses. She commended Mr. Titus for doing a great job heading the Committee. Ms. Davidson said that the Committee reviewed and discussed the ordinance to look at how each rule would affect both the business owners and their neighbors.

Sarah Knaub, stated that she served as a homeowners' association representative on the HBBC and is also a home-based business owner in Tabb, so she was able to view this issue from different

angles. She stated that major topics of concern were vehicles and parking and were thoroughly discussed and debated. She said that she is in favor of allowing neighborhoods having a say through the Special Use Permit process while allowing non-obtrusive home occupations to be conducted by right.

Darci Tucker, 218 Seminole Road, asked if existing businesses that are operating outside the parameters of the proposed regulations will be allowed to continue.

Mr. Anderson responded that home occupations that are operating legally prior to a change in the ordinance could continue to do so.

Ms. Tucker said that answered her question and explained that there are several home-based businesses in the more rural area that she lives in that appear to have more than four customers and employees.

Richard Howell, 104 Horseshoe Drive, raised a concern about allowing businesses to operate seven days a week and asked if it should be changed since Sunday is a quiet day in most neighborhoods. He also expressed concern about the visual impact of allowing three or four business vehicles on neighborhoods. He stated that he appreciates the efforts of the Zoning and Code Enforcement staff but is concerned that it is reactive. He asked if there are penalties and fines for people that break rules.

There being no one else wishing to address the Commission on this application, **Chair King** closed the public hearing.

Mr. Criner noted that he ran a construction company business on his twelve-acre property for thirty years without a single complaint and that he had large trucks coming to his property. He stated that he is not against large vehicles in all situations but that to allow them in a typical subdivision, which would be legal under the proposed ordinance, would generate complaints. He asked that if that happens, is there a mechanism to require the business owner to apply for a Special Use Permit.

Mr. Anderson responded that this issue can be addressed by changing the resolution to specify that no heavy trucks shall be permitted to operate *on* – rather than *from* – the property.

Mr. Criner said that the language change does not solve the problem.

Mr. Anderson responded that it would prevent large vehicles from coming onto the property and parking. He added that for large vehicles to be permitted to come to a residential property, the homeowner would need to apply for a Special Use Permit.

Mr. Criner said he does not see a mechanism anywhere in the ordinance to stop problems associated with home occupations that are permitted as a matter of right.

Mr. Anderson responded that the Zoning Ordinance is a living document and can be changed by Board of Supervisors if it turns out not to achieve the desired goals.

Mr. Criner said the proposed amendments represent an improvement over the current ordinance and that he would support the change in wording.

Mr. Jons stated that he is for the expansion of opportunities for home-based businesses but feels strongly against allowing them to operate seven days a week.

Ms. Leedom and **Mr. Sturk** expressed agreement with Mr. Jons' comment.

Mr. Peterman disagreed because there are some businesses that only operate on weekends. He stated that "blue laws" that prohibited businesses from operating on Sundays are an antiquated way of doing business. He noted that the economy still operates on Sundays.

Mr. Jons likened Mr. Peterman's argument to saying that businesses should be allowed to operate 24 hours a day in residential neighborhoods.

Mr. Criner said he understands both sides of the issue and suggested that maybe a Special Use Permit could be required for a business to operate on Sundays.

Mr. Jons said he would support that.

Mr. Titus stated that he prefers his Sundays to be quiet, but there is no real reason why it has to be Sunday and not some other day. He added that many residents do not work on a strict Monday through Friday schedule with weekends off.

Chair King agreed that the old "blue laws" were ridiculous. He said he is in favor of allow home occupations to be allowed to operate seven days a week. He reiterated that the ordinance can be changed in the future if necessary.

Mr. Sturk moved the adoption of Resolution No. PC21-3(R), including the proposed change of "from" to "on."

A RESOLUTION TO RECOMMEND APPROVAL OF AN APPLICATION TO AMEND
THE HOME OCCUPATION REGULATIONS SET FORTH IN ARTICLE II, GENERAL
REGULATIONS, OF CHAPTER 24.1, ZONING, OF THE YORK COUNTY CODE

WHEREAS, the York County Board of Supervisors appointed a citizen committee to review the home occupation regulations set forth in the County's Zoning Ordinance; and

WHEREAS, staff has worked with the ad hoc Home-Based Business Committee of community stakeholders to conduct a comprehensive review of the County's home occupation regulations and prepare a series of proposed amendments; and

WHEREAS, the Committee has completed its review and transmitted the draft amended regulations to the York County Planning Commission for sponsorship, review, and approval; and

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 13th day of January, 2021, that it does hereby forward Application No. ZT-185-20 to the York County Board of Supervisors with a recommendation of approval to amend various sections of Chapter 24.1, Zoning, of the York County Code, to read and provide as follows:

Sec. 24.1-280. Home occupations permitted.

Home occupations, as defined in section 24.1-104, shall be a permitted residential accessory use in conjunction with any lawful residential use if in conformance with the following provisions. Should the zoning administrator determine that a specific use or activity proposed for operation as a home occupation is not materially similar to those uses and activities listed herein, the matter shall be resolved in accordance with the procedures outlined in section 24.1-302 of this chapter.

Sec. 24.1-281. General requirements for home occupations.

All home occupations shall be subject to the following provisions unless excepted by the board in accordance with the provisions of section 24.1-283. Home occupations not exceeding the criteria set forth in this section shall not require a special use permit:

- (a) The owner/operator and business license holder of the home occupation shall reside on the premises. Including the owner/operator, there may be any combination of, but no more than a total of four (4) resident employees, non-resident employees or clients. No person other than individuals residing on the premises shall be engaged on the premises in such operation unless otherwise authorized under section 24.1-283(e) at any given time.
- (b) The home occupation(s) shall be clearly incidental and subordinate to the residential use of the property. The use(s) may not exceed four hundred (400) square feet or twenty-five percent (25%) of the floor area of the principal residence, whichever is shall be less, unless a greater area is deemed appropriate and is authorized by the Board of Supervisors in conjunction with consideration of a special use permit application for a home occupation.
- (c) There shall be no change in the outside appearance of the building or premises or other evidence of the conduct of such home occupation visible from the street or adjacent properties, other than a sign as permitted by this chapter. -Outdoor storage shall not be permitted.
- (d) Any demand for parking generated by the conduct of such home occupation(s) which is in addition to the spaces required for the residential use shall be accommodated off the street in a suitably located and surfaced space. -Parking must be ten feet (10') from any property line and where three (3) or more spaces are required they shall be effectively screened and buffered by landscaping from view of adjacent residential properties and the home occupation shall be authorized only by issuance of a special use permit by the board. In its approval action, the Board will specify the maximum parking limits associated with the home occupation.
- (e) The occupation or activity shall not require the use of machinery or equipment that creates noise in violation of county code sections 16-19 through 16-19.6, odor, smoke, dust or glare or flammable or toxic substances or is dangerous or otherwise detrimental to persons residing in the home or on adjacent property. -Commercial vehicles must be kept in a garage or an enclosed and screened storage yard.
- (f) All public contact related to such use shall be limited to the period between 8:00 a.m. and 8:00 p.m. No heavy truck or vehicle or piece of equipment having a gross rated carrying capacity of more than one (1) ton gross weight shall be parked or stored on or operated from the site in connection with a home occupation unless such vehicle or equipment has been specifically authorized in conjunction with a use permit authorizing a small contracting business.

Sec. 24.1-282. Home occupations permitted as a matter of right. Reserved

- (a) Permitted home occupations in all residential districts shall include the following:

- ~~(1) — Artists and sculptors.~~
- ~~(2) — Authors and composers.~~
- ~~(2.1) — Day care for not more than four (4) children under the age of thirteen (13), exclusive of the provider's own children and any children who reside in the home as residential occupancy by a single family.~~
- ~~(3) — Dressmakers, seamstresses, tailors.~~
- ~~(4) — Home crafts such as model making, rug weaving, cabinet making, furniture refinishing, or ceramics.~~
- ~~(5) — Office facility of a member of the clergy.~~
- ~~(6) — Office facility of a resident salesperson, sales representative or manufacturer's representative.~~
- ~~(7) — Home office facility for resident accountants, architects, artists, photographers, brokers, computer programmers, consultants, counselors, dentists, physicians, engineers, lawyers, insurance agents, real estate agents or similar professionals provided, however, that clients or patients may not be seen at the home office facility.~~
- ~~(8) — Telephone answering service.~~
- ~~(b) — Permitted home occupations which may only be conducted in the RC, RR, R33, R20, and R13 districts include the following:~~
 - ~~(1) — Photography studios.~~
 - ~~(2) — Tutoring, music or voice lessons or similar services for not more than four (4) persons other than the family members of the provider at any single time.~~
 - ~~(3) — Other activities and uses which the zoning administrator determines can be operated in complete accordance with section 24.1-281 of this chapter and which are not otherwise regulated or prohibited by this chapter or any other provision of law.~~

~~The activities specifically authorized under this subsection shall be permitted to have on-site client contact notwithstanding the provisions of Section 24.1-281 to the contrary.~~

Sec. 24.1-283. Home occupations permitted by special use permit.

The board may authorize, by special use permit issued in accordance with all applicable procedural requirements as set forth in article I, the following and materially similar types of home occupations subject to the specified conditions:

- (a) Home occupations permitted under section 24.1-~~282~~ 281 which generate a parking demand for ~~three-five (35)~~ or more parking spaces, ~~and those occupations permitted under section 24.1-282(b) in residential districts other than those specified.~~

~~(b) Home occupation(s) exceeding the greater of four hundred (400) square feet or twenty-five percent (25%) of the floor area of the principal residence with on-premises retail sales, or personal services, or customer/client contact.~~

~~(b)(c) Home occupations which may be authorized under this section shall include:~~

~~(1) Uses which may be authorized under this section shall include barber and beauty shops, antique shops, bicycle rental, rRental of rooms for nontransient use if the occupation of the residence exceeds the definition of "family" in section 24.1-104;~~

~~(2) dDay care for more than four (4) children or more than three (3) adults;~~

~~(3) ,in-home professional offices with customer or client contact, fFirearms or ammunition sales; and~~

~~(e) oOther materially similar activities and land uses involving on-premises retail sales, customer contact, and personal services. These provisions shall also apply to catering operations conducted in accordance with section 29.5 of the Rules and Regulations of the Board of Health of the Commonwealth of Virginia provided, however, that food preparation that is conducted from the structure's standard residential kitchen for off-premises sale and consumption and that does not involve any on-site customer contact or non-resident employees shall not be deemed to require a special use permit.~~

~~(1) All public contact related to such use shall be limited to the period between 8:00 a.m. and 8:00 p.m., Monday through Saturday, unless otherwise specified by the board.~~

~~(2) Off street parking shall be provided in accordance with the applicable standards established in article VI for business and commercial uses. Such spaces shall be in addition to those otherwise required for the residential use of the property, and shall be no less than ten feet (10') from any property line, unless on an existing driveway, and shall be effectively screened from view of adjacent properties and street rights-of-way by landscaping supplemented, if necessary, by fencing.~~

~~(3) The type and extent of items to be displayed, stored or sold, or personal services to be offered on the premises shall be specifically stipulated by the board in authorizing any such use permit. In no case shall the area devoted to sales, storage, display or conduct of such home occupation exceed twenty-five percent (25%) of the floor area of the residence or such smaller area as may be stipulated by the board.~~

Such use shall comply with all applicable requirements for home occupations as established in section 24.1-281 of this chapter.

~~(d) Home occupations with outdoor storage. Small contracting businesses operated as home occupations in the RC, RR and WCI district.~~

~~(1) All storage areas associated with such use shall be landscaped and fenced in order to provide immediately a minimum Type 25 transitional buffer. For the purpose of this section, small contracting businesses shall be deemed to include businesses engaged in construction and repair of buildings; installation and servicing of heating, cooling and electrical equipment, flooring, painting, plumbing, roofing and tiling; landscaping; and other such uses deemed by the zoning administrator to be similar in terms of type, scale and impact. This section shall not be construed to necessitate a use permit for offices of such businesses as authorized and conducted in accordance with the provisions~~

~~established in sections 24.1-281 and 24.1-282 nor shall this section be construed to provide opportunities for business operations which involve on-site manufacturing of products or materials utilized in the conduct of such business.~~

~~(2) —~~

~~(3) — All structures, parking and loading areas, and storage areas associated with such use shall be located at least one hundred feet (100') from any lot line. Such setback and buffer area shall be landscaped and fenced in order to provide immediately a Type 50 transitional buffer.~~

~~(4) —~~

~~(5) — Not more than two (2) vehicles and pieces of equipment associated with the operation of a business shall be operated from the site or stored there overnight, unless a greater number is deemed appropriate and is authorized by the board of supervisors in conjunction with consideration of a special use permit application. Small transportable equipment including lawn mowers; chain saws; power hand tools; table, band or radial arm saws; and similar items shall not be included in such a determination.~~

~~(6) — Unless otherwise stipulated by the board in granting a special use permit, the areas covered by all structures used primarily in connection with such uses shall not exceed a total of one thousand five hundred (1,500) square feet.~~

~~(7) — Unless otherwise stipulated by the board in granting a special use permit, the area covered by any outdoor storage associated with such use shall not exceed a total of one thousand (1,000) square feet.~~

~~(8) — All parking, loading and storage associated with such use shall be screened effectively from view from adjacent properties by landscaping and appropriate wooden or masonry fencing materials.~~

~~(9) — The board shall find and determine that the proposed small contracting business is not likely to generate traffic, including commercial delivery vehicles, in greater volume than would normally be expected in the district in which it is located.~~

~~(10) — The board shall find and determine that the proposed small contracting business is not likely to create noise, dust, vibration, odor, smoke, glare, electrical interference, fire hazard or any other hazard or nuisance to any greater or more frequent extent than would normally be expected in the district in which it is located.~~

(e) Docking workboats and off-loading seafood as a home occupation in RR and RC districts.

(1) Such uses may be authorized only on property which is classified RC or RR. The docking of workboats, off-loading of seafood, and the conduct of a waterman's operation shall be limited to occupants of the premises who are engaged in commercial fishing or the harvesting of seafood from open waters using traditional methods such as lines, nets, crab-pots, tonging or dredging. Uses which involve aquaculture methodologies including but not limited to the propagation, rearing, enhancement and harvest of aquatic organisms (including but not limited to shellfish) in controlled or selected environments pursuant to a license for on-bottom shellfish aquaculture from the Virginia Marine Resources Commission shall not be eligible for consideration under these provisions. Such uses shall, for the purposes of this chapter, be considered

to be aquaculture and shall be permitted in accordance with the listings set forth in section 24.1-306, Table of Land Uses, of this chapter.

The above provisions notwithstanding, Special Use Permit authorization shall not be required for traditional waterman activities (commercial fishing, harvesting seafood from open water using traditional methods) conducted in a manner and from property complying with the terms applicable to commercial aquaculture set forth in section 24.1-414.3.

~~(2) — No admission, dockage, or wharfage fees shall be charged.~~

~~(3) — On premises wholesale or retail sale of seafood shall be prohibited.~~

~~(4)~~(2) Outdoor storage of goods, equipment, or materials (other than the workboat itself) shall be limited to a total of one thousand (1,000) square feet and shall not be located in any front or side yard, or within twenty feet (20') of any property line. Any equipment or storage located on the property shall be screened from view from all public streets and adjacent properties by a landscaped buffer area supplemented, if determined necessary by the zoning administrator or the board at the time of permit approval, by masonry or wooden fencing material. In its approval of a special use permit, the board may limit outdoor storage to less than one thousand (1,000) square feet or may require a setback greater than twenty feet (20') if deemed necessary based on the characteristics of the subject site or its surroundings.

~~(5)~~(3) Repair of workboats shall be limited to routine maintenance, which may include:

- a. minor tune-ups;
- b. change of oil and filters;
- c. washdown and drainage of workboats;
- d. winterizing (draining lines, etc.);
- e. other customary routine repairs or maintenance.

~~(6)~~(4) All federal, state and local requirements for docking facilities shall be met and the necessary permits obtained prior to the issuance of a building permit for docks, piers, or boat houses.

~~(7)~~(5) The workboats and seafood unloading operations shall be conducted in such a manner as to prevent potentially offensive odors from being produced. No overnight storage of seafood waste shall be permitted on the property.

~~(8)~~(6) Any outdoor or security lighting shall be shielded so that glare is not directed onto adjacent property.

~~(9)~~(7) The number of workboats docked at the property shall not exceed the capacity of the pier or boat house. The "rafting" of boats shall not be permitted.

~~(10)~~(8) No heavy trucks shall be permitted to operate from the property.

~~(11)~~(9) Any demand for parking generated by the conduct of such use shall be accommodated off the street.

~~(12)~~(10) The storage and utilization of toxic substances shall be limited to types and quantities that would customarily be utilized or stored for residential use. Any storage or utilization of combustible, toxic, or flammable substances shall be in accordance with the National Fire Prevention Code.

~~(13)~~(11) The board shall, on a case-by-case basis, review and impose such other conditions as it deems necessary and appropriate to assure that the use will be compatible with, and will not adversely impact, adjoining properties and the environment of the area. Such conditions and restrictions may include:

- a. hours of operation;
- b. number of workboats permitted to use the private residential pier or dock;
- c. a requirement to prepare a water quality impact assessment;
- d. additional screening or landscaping requirements for outdoor storage areas and equipment.

(f) Any commercial or passenger vehicle(s), as defined below, utilized by a hHome occupation(s) shall be parked on, stored on, or operated on or from the property with non-resident employees.

~~(1) Commercial Vehicle: All home occupation categories whether permitted as a matter of right or by special use permit under section 24.1-282 and 24.1-283 may be authorized under this section to include one (1) or more non-resident employees. The allowable number of non-resident employees shall be specified in the use permit approval.~~

- ~~a. Any vehicle with a gross vehicle weight rating (GVWR) of nineteen thousand five hundred one (19,501) pounds or more;~~
- ~~b. Any trailer of an overall length (OAL) of seventeen (17) feet or more;~~
- ~~c. Any heavy construction equipment, whether located on the street or on a truck, trailer, or semi-trailer;~~
- ~~d. Any solid waste collection vehicle, tractor truck or tractor truck/semi-trailer or tractor/truck combination, dump truck, concrete mixer truck, or towing or recovery vehicle;~~
- ~~a-e. Any trailer, semi-trailer or other vehicle in which food or beverages are stored or sold.~~

~~(2) Passenger Carrying Vehicle Evaluation of this allowance shall be based on the general provisions of section 24.1-281 and applicable requirements as set forth in section 24.1-283.:~~

- ~~a. Any vehicle designed to carry sixteen (16) or more passengers, including the driver;~~
- ~~b. Any vehicle licensed by this Commonwealth for use as a common or contract carrier or as a limousine.~~

- (g) Enlargement or expansion of permitted home occupations.
- (1) The board may authorize by special use permit issued in accordance with the procedures stipulated in article I, enlargements or expansion of home occupations permitted in sections 24.1-282 and 24.1-283.
- (2) The board shall find that the overall spirit and intent of section 24.1-281 will not be violated by the issuance of a special use permit authorizing an enlargement or expansion and may attach any conditions deemed necessary to ensure such compliance.

Sec. 24.1-284. Prohibited home occupations.

The following uses shall not be permitted as accessory home occupations:

- (a) Automobile repair and servicing.
- (b) Funeral chapels or funeral homes.
- ~~(e) Gift shops.~~
- ~~(d)~~(c) Medical or dental clinics or hospitals.
- ~~(e)~~(d) Restaurants, tearooms, or other eating or drinking establishments.
- ~~(f)~~(e) Commercial stables, commercial kennels.
- ~~(f)~~ Veterinary clinics.
- ~~(g)~~ Convenience store.
- ~~(h)~~ Small engine and equipment repair.
- ~~(i)~~ Tattoo parlor.
- ~~(j)~~ Gambling or gaming establishment.
- ~~(g)~~(k) Any home occupation involving the use of a vehicle, regardless of size, used in transportation of hazardous materials as defined in section 103 of the federal Hazardous Materials Transportation Act (49 C.F.R. Par 172, Subpart F).
- ~~(h)~~(l) Other activities and land uses which the zoning administrator determines to be materially similar to the activities listed above.

On a roll call the vote was:

Yea: (7) Sturk, Peterman, Jons, Titus, Leedom, Criner, King
Nay: (0)

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

STAFF REPORTS

Mr. Cross referred to the January Development Activity Report, stating there have been no new Board actions to report from the December meeting. He stated that the agenda for the January 19 Board meeting will include the Special Use Permit applications for a machine shop at 451 Merrimac Trail and the esthetician's studio at 608 Clements Mill Trace, which the Commission considered in December. Mr. Cross stated that there are two applications for the February 10 Planning Commission meeting: a rezoning for approximately 2.6 acres located at 2371 and 2601 Hampton Highway and a firearms sales and gunsmithing business as a home occupation at 211 Henry Lee Lane. With regard to the second application, he mentioned that it would still require a Special Use Permit if the home occupation amendments are approved. Lastly, Mr. Cross reported that the Fenton Mill Planned Development application is tentatively scheduled to go before the Board in March.

COMMITTEE REPORTS

Chair King reported that the draft Transportation element of the Comprehensive Plan has been distributed to the York 2040 Committee. He asked if it was available on the County website and encouraged fellow Commissioners to review it if interested.

Mr. Cross replied that the document will be posted within 24 hours.

Chair King acknowledged all of the hard work that Mr. Titus has contributed to the HBBC and thanked him for his efforts. He then wished everyone a happy new year.

COMMISSION REPORTS AND REQUESTS

There were no Commission reports or requests.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 10:15 PM.

SUBMITTED:


Daria Linsinbigler, Secretary

APPROVED:


Michael S. King, Chair

DATE:

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