

York County Development Guide

March 2017

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Introduction

Thank you for choosing York County as your place of business and development. This Development Guide has been created to help guide you through the development review and approval process and make it as easy an experience as possible. It is important to recognize that this is only a guide, not a legal document or ordinance.

This guide is designed to provide you with valuable information to help you successfully navigate through each step of the development process. It will cover what is required from you, who you will need to contact, the costs, as well as a general timetable. Depending on the nature of your project, every step may not apply.

It is vital that you contact York County staff before you begin your project to ensure you follow the relevant procedures and that you remain in close contact throughout the development process. Consulting with York County staff early and when you have questions may save you time and money.

Each section of this guide is organized in the following manner:

- A brief description of the procedure
- The office responsible for the administration
- The procedure at a glance (quick reference information that outlines the process)
- Detailed steps of the procedure
- Flow Chart of the procedure (where applicable)

York County desires quality economic development that provides not only strong capital investment but also quality employment for citizens. The Office of Economic Development serves as a resource for businesses interested in locating or developing in the area.

The Office of Economic Development can be reached at (757) 890-3317.

You also can visit www.YesYorkCounty.com to find valuable information to better serve your development needs.

Developer Tip Sheet

Below is a list of techniques suggested to help developers and their representatives successfully undertake and complete projects in York County. The list is based on experience gained from working with knowledgeable developers and property owners.

Fundamentals

- ✓ Designate a single project manager with authority to make decisions.
- ✓ Ensure regular communication between your project manager and the County staff case manager. Keep County staff informed of project plans.
- ✓ Contact the Department of Public Works' Utilities Division early on in the process.
- ✓ Initiate briefings with residents as soon as possible if the project will be developed adjacent to existing residential neighborhoods.
- ✓ Respond quickly and thoroughly to County staff questions and requests for information.

Planning Commission/Board of Supervisors

- ✓ Ask County staff for examples and outcomes concerning similar projects or attend one PC meeting and/or Board of Supervisors meeting for a project similar to the one proposed to gauge project design criteria, development quality, and standards.
- ✓ Ensure that there are no delinquent real estate taxes or any other unpaid charges that constitute a lien on the subject property. Applications for rezonings, use permits, special exceptions, and variances cannot be accepted until all charges have been paid.

Research

- ✓ Educate yourself on resources and assistance available from local sources such as the County's website: www.yorkcounty.gov.

Developer Professional Team

- ✓ Retain experienced professionals who, preferably, have recently worked in York County or nearby localities.
- ✓ Check with both your professionals and County staff to determine project status.
- ✓ Consult with staff to work out complicated issues.
- ✓ Document meetings with County staff by creating written meeting notes, confirm action items in writing, and send summaries to County staff.
- ✓ Identify, at the project onset, special considerations requested (i.e. timing, variances, etc.).

Project Execution

- ✓ Be sure to read all conditions noted in the approval letter of any actions that are required. Ask County staff if you need clarification.
- ✓ Always use the project number assigned by the County when working with County staff.
- ✓ When submitting a project, pay the review fee and include all relevant documents.

Adaptive Re-use vs. New Development

The County staff frequently field questions concerning the required plan preparation and review processes for two types of development: adaptive re-use and new development. The following information is intended to provide guidance for both situations. Please note that information on the circumstances under which uses are classified - permitted as a matter of right, permitted with a special use permit, or not permitted - is provided in the Table of Land Uses in Section 24.1-306 of the Zoning Ordinance. In summary, once it is determined whether or not the use is permitted, the following two rules concerning plan preparation should be considered:

1. All new developments require a fully-engineered site plan that meets current zoning requirements.
2. The processes involved with adaptive re-use of an existing site are essentially the same as for new development; however, the specific circumstances of the property will determine whether a site plan is required, and if so, to what level of detail the site plan must be prepared. The following points are intended to clarify this issue for developers:
 - In cases where there is simply a change in ownership of an existing legal or legally nonconforming use, no site plan is required.
 - If the proposed use will occupy an existing site and structure that previously housed an identical use less than two years prior and where no new construction is proposed, no site plan is required.
 - If the proposed use will occupy an existing site and structure that previously housed a similar use less than two years prior and where it can be clearly demonstrated that the new use is less intensive than the previous one (i.e. fewer vehicle trips, less parking demand, performance standards addressed, no outstanding zoning or environmental issues, etc.), and no new construction is proposed, no site plan is required. In these cases, however, the staff requires that the developer submit a letter detailing the proposed use so that an approval letter can be generated memorializing the approved use.

In cases where new construction is being proposed for existing developments (such as additions to buildings or parking lots), a site plan is required. However, requirements for preparation of the site plan may vary depending on the scope and nature of the proposal. The following points may help clarify this issue and provide guidance as to the degree of detail needed in certain site plans:

- Small building additions, outbuildings, or storage areas that will be placed over existing impervious surfaces can often be handled as site plan amendments if a previously approved site plan is already on file. Alternatively, a site plan waiver or sketch plan may be submitted where minimal information needs to be provided. Necessary information for site plan waivers typically consists of identifying property limits, building usage and area, setbacks, landscaping, vehicular trip generation, and environmental features/inventory of

the site. In some cases, performance standards and architectural compliance must be addressed on the plan or sketch.

- Sizable increases in impervious coverage via building additions, parking lot expansions, storage yard areas, and similar improvements typically require that engineered site plans be prepared to address important elements as may be applicable to the site. In addition to the above items, these also may include drainage calculations, drainage area maps, Chesapeake Bay Act/Watershed Protection compliance, utility provisions and locations, fire protection, and entrance and right-of-way improvements.
- When additions or modifications are made to existing sites, it will not be necessary to pursue a complete retrofit and full compliance with current standards for existing site elements in most cases. Instead, the site plan review process will concentrate on addressing deficiencies in a cost effective manner for the developer. Improvements are sought in relation to project scope, especially in the vicinity of the new construction.
- Projects where 50 percent or more of existing buildings and impervious areas are being razed or removed for redevelopment can expect to be required to achieve the highest level of site compliance with current standards in their site plan submissions. Conversely, projects utilizing the greatest percentage of existing improvements encounter fewer site compliance requirements.

These guidelines are meant to help developers understand how the provisions of the Zoning Ordinance will apply to and affect their proposed project, which will assist the prospective developer in evaluating the probable costs that are associated with implementing his or her project. They are not all-inclusive, as there are many scenarios that have not been described here. As such, **it is imperative that developers contact the appropriate County staff to schedule a meeting to discuss the specifics regarding a project before purchasing property or entering into a lease.** The County staff stands ready to assist in helping you make your project successful.

Development Guide – Quick Reference List

Rezoning and Special Use Permits – Planning

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Meet or call staff member of the Planning Division 2. Complete and submit required application with fees 3. Attend Planning Commission hearing | <ol style="list-style-type: none"> 4. Attend Board of Supervisors hearing 5. If approved, proceed with design of the project |
|---|--|

Variance and Appeal – Development Services

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Within 30 days of a denial, request an application (not applicable to variance requests) 2. Complete application and submit with required fees and plats/drawings | <ol style="list-style-type: none"> 3. Attend Board of Zoning/Subdivision Appeals public hearing |
|---|--|

Subdivision Preliminary Plan – Development Services

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Meet or call staff member 2. Prepare plan 3. Submit Development Application, review fee, 13 copies of the plan, CD | <ol style="list-style-type: none"> 4. Plan reviewed by County staff and other agencies; approved or returned with comments/revisions needed |
|---|--|

Subdivision Development Plan – Development Services

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Prepare plan 2. Submit Development Application, review fee, 13 copies of the plan, CD, and required attachments (see page 29) 3. Plan reviewed by County staff and | <ol style="list-style-type: none"> 4. other agencies; approved or returned with comments/revisions needed 4. Public improvements, either completed or guaranteed |
|---|--|

Subdivision Final Plat – Development Services

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. Prepare plan 2. Submit application, review and recordation fees, 13 copies of the plat, CD, and required attachments 3. Plan reviewed by County staff and other agencies, approved or returned with comments/revisions needed 4. After approval, submit three reproducible mylar copies of the plat (record plat) | <ol style="list-style-type: none"> 5. Addresses assigned by County 6. Plat recorded by County staff 7. Complete any outstanding construction, inspections, and public improvements accepted by the County 8. Proceed with the Building Permit Procedure |
|---|---|

Site Plans – Development Services

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Pre-Application Meeting (optional) 2. Prepare Plan 3. Submit application, review fee, 13 copies of the plan, CD, and required attachments (see page 22) | <ol style="list-style-type: none"> 4. Plan reviewed by County staff and other agencies; approved or returned with comments/revisions needed 5. Pay required fees and obtain necessary permits |
|--|---|

Erosion & Sediment Control - Stormwater

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Schedule a meeting with Stormwater Engineer 2. Prepare plans in accordance with the Ordinance 3. Plan reviewed by staff; approved or returned with comments/revisions needed | <ol style="list-style-type: none"> 4. Submit performance agreement and surety 5. Attend pre-construction meeting 6. Install all temporary and permanent erosion and sediment controls 7. Call for final inspection |
|---|--|

Commercial Checklist for Construction Permits and/or Certificates

The marked items under the specified permits or certificates must be completed/obtained before these permits or certificates can be issued. (March 2017)

Virginia Stormwater Management Program (VSMP) Permit

- | | |
|---|---|
| <input type="checkbox"/> Preliminary site plan approval
<input type="checkbox"/> Permit application with General Permit Registration Statement | <input type="checkbox"/> VSMP fee paid
<input type="checkbox"/> SWM Development Agreement and Performance Surety |
|---|---|

Land Disturbance Activity (LDA) Permit

- | | |
|---|---|
| <input type="checkbox"/> Preliminary site plan approval
<input type="checkbox"/> Property line vacation plat recorded
<input type="checkbox"/> Erosion and Sediment Control Development Agreement & Surety
<input type="checkbox"/> BMP Maintenance Agreement
<input type="checkbox"/> VSMP Permit (if applicable)
<input type="checkbox"/> Offsite easements recorded
<input type="checkbox"/> Court Order for unincorporated churches | <input type="checkbox"/> VDOT LUP-A Permit (if applicable)
<input type="checkbox"/> Preliminary approval conditions satisfied
<input type="checkbox"/> Private Roadway Construction Agreement
<input type="checkbox"/> Environmental Permits issued (ACOE, DEQ, etc.)
<input type="checkbox"/> Pre-construction meeting- (LDA issued at this meeting) |
|---|---|

Certificate to Construct Sanitary Sewer and/or Certificate to Construct Water

- | | |
|---|---|
| <input type="checkbox"/> Final site plan approval
<input type="checkbox"/> Executed Public Sewer and/or Water Extension Agreement (PSEA) or (PWEA) | <input type="checkbox"/> Material Submittal Approval
<input type="checkbox"/> Pre-construction meeting |
|---|---|

Building Permit (Foundation Only)-Contact Building Official, 757-890-3570

- | | |
|--|---|
| <input type="checkbox"/> Preliminary site plan approval
<input type="checkbox"/> Property line vacation plat recorded
<input type="checkbox"/> Building addresses assigned
<input type="checkbox"/> LDA permit issued
<input type="checkbox"/> Site Erosion and Sediment Control (E&SC) measures completed
<input type="checkbox"/> Site-specific stormwater facilities constructed | <input type="checkbox"/> Building plans approved
<input type="checkbox"/> Special inspection statement
<input type="checkbox"/> Applicable permit fees, connection fees paid
<input type="checkbox"/> Utility release- sewer (180 day waiver) or septic permit |
|--|---|

Building Permits (Vertical)

- | | |
|--|--|
| <input type="checkbox"/> Final site plan approval (including addresses)
<input type="checkbox"/> Property line vacation plat recorded
<input type="checkbox"/> Architectural Compliance Acknowledgement Letter
<input type="checkbox"/> Outdoor lighting specs- <i>electrical permit requirement</i>
<input type="checkbox"/> Building plan approved
<input type="checkbox"/> LDA permit/ VSMP permit
<input type="checkbox"/> Certificate to construct sanitary sewer & water issued
<input type="checkbox"/> All permit fees/connection fees paid | <input type="checkbox"/> All site E&SC measures installed and functional
<input type="checkbox"/> Specified Stormwater Facilities constructed and preliminary “as-builts” submitted & field verified
<input type="checkbox"/> Sanitary sewer facilities are operational within 180 days
<input type="checkbox"/> VDOT LUP-A permit issued (if applicable)
<input type="checkbox"/> Fire hydrant fees paid
<input type="checkbox"/> Fire hydrant in service (letter from FLS/NNWW) |
|--|--|

Certificate of Occupancy

- | | |
|---|---|
| <input type="checkbox"/> Dev/Traffic Signal Agreement, fees paid
<input type="checkbox"/> On-site easements recorded
<input type="checkbox"/> Right of Way dedications recorded
<input type="checkbox"/> Canopy/Tank/Pump/ Car Wash Equip/Structure Removal Agreement (fuel sales facilities and car washes)
<input type="checkbox"/> Final stormwater “as-builts” approved
<input type="checkbox"/> Final sanitary sewer “as-builts” approved | <input type="checkbox"/> Final report on special inspections
<input type="checkbox"/> VDOT requirements implemented
<input type="checkbox"/> Special Use Permit/ covenants recorded
<input type="checkbox"/> Site plan compliance inspection
<input type="checkbox"/> Business License
<input type="checkbox"/> Geotechnical reports for streets
<input type="checkbox"/> Final building inspection |
|---|---|

REZONING AND SPECIAL USE PERMIT PROCEDURE

Rezoning and Special Use Permit Procedure

If the proposed use of your property is different from the land uses identified in the Zoning Ordinance as permitted by right, you need to submit a request to the Board of Supervisors for a rezoning or Special Use Permit.

REZONING: A rezoning is required if the proposed use of your property is not permitted by right or with a Special Use Permit under your property’s current zoning classification.

If you desire, you may submit written “proffers” (voluntarily proffered conditions) that are *in addition to* the regulations associated with your desired zoning classification. Typically, proffers relate to things that you are willing to do that are above and beyond the normal zoning requirements. Examples include, but are not limited to, use restrictions, additional landscaping, timing/phasing of the development, off-site improvements, aesthetic features, or capital improvements.

SPECIAL USE PERMIT: Some uses, because of their unique nature or their potential impact on adjacent land uses, are not generally permitted, but may, under certain circumstances, be deemed acceptable in certain locations. In this case a Special Use Permit is required. The Table of Land Uses (located in Section 24.1-306 of the Zoning Ordinance) specifically identifies which uses require a Special Use Permit in each zoning district.

Note: In some cases both a rezoning and a Special Use Permit may be necessary. Please consult with County Planning staff to determine specific needs for your property.

TIME: This process takes about 75 to 90 days between the application deadline and a final decision by the Board of Supervisors, provided the application is not delayed at the request of the applicant or deferred by the Commission or Board. Planned Development applications, however, require an extra 30 days to review.

TERM: Special Use Permits are generally approved for an initial one (1) year period which is automatically renewed for an additional one (1) year period if it stays in compliance with the conditions (Zoning Ordinance Section 24.1-115(c)). Special Use Permits expire in two (2) years if the approved use is not established. See Sections 24.1-115 through 24.1-118 of the Zoning Ordinance for additional information on Special Use Permits.

PROCEDURE AT A GLANCE	
1	Meet with a staff member of the Planning Division. (757) 890-3404
2	Complete and turn in application with required fee.
3	Attend Planning Commission hearing.
4	Attend Board of Supervisors hearing.
5	If approved, proceed with the design of the project.

In Depth Look at the Procedures

STEP 1: Meet with the Planning Division Staff.

For Rezoning and Special Use Permit applicants should schedule a meeting with a Planning Division staff member. The office is located in the Administration Building at 224 Ballard Street. (757) 890-3404

Points to cover during the meeting:

1. Check Zoning Map to determine the current zoning of the property.
2. Check Zoning Ordinance Section 24.1-306 (Table of Land Uses) to determine if proposed use is permitted by right or with a Special Use Permit.
3. Obtain application(s), checklist(s), and a Planning Commission meeting schedule (including deadlines for submissions).
4. Discuss the best approach for obtaining approval of proposed activities. Keep in mind that although many factors are considered in the review of rezoning and Special Use Permit requests, the most important are:
 - Consistency with the Comprehensive Plan
 - Compatibility of use with its surroundings
 - Potential service, fiscal, transportation, and environmental impacts
 - Conditions that would mitigate potential negative impacts

A Traffic Impact Analysis (TIA) also may be required. However, a TIA always is required for proposed activities that involve:

- A. 1,000 vehicle trips in a 24-hour period
- B. 100 vehicle trips in a peak hour

Note: County staff can assist you in estimating the potential traffic volumes anticipated for the project.

STEP 2: Complete and Submit Application.

Submit application(s) and the required fee to the Planning Division by the deadline. In addition, the owner(s) of the property must sign a statement verifying that there are not any delinquent real estate taxes, nuisance charges, or any other charges that constitute a lien on the property. Completed applications received by the deadline, the first business day of the month, typically are placed on the agenda for the following month's Planning Commission hearing. As previously noted, Planned Development applications require an extra month for review.

- After staff determines that the application is complete, the review process begins.
 - The application will be distributed for review to a number of County and State agencies.

- Public notice of the proposed action is sent to the local newspaper, the County's cable TV channel (Cox 46, Verizon 38), and adjacent property owners. Signs are posted on the property.
- The Planning Division prepares an analysis and recommendation for the Planning Commission.
- A draft copy of the proposed conditions is sent to the applicant before the staff report is finalized.
- The applicant has the opportunity to discuss the proposed conditions with their assigned planner or case manager.

STEP 3: Attend the Planning Commission Public Hearing.

- The Planning Commission meets on the second Wednesday of the month.
- Your staff case manager presents the application and staff's recommendation.
- The applicant is encouraged to attend the meeting and present additional information including a description of the proposed use and his/her case for approval of the application. For visual aids, a projector and computer with PowerPoint are available. Display boards are discouraged.
- Adjacent property owners and interested parties are allowed to speak.
- The Planning Commission makes one of the following recommendations to the Board of Supervisors (BOS) after discussion of the case:
 - a) Approval as submitted
 - b) Approval with modifications
 - c) Denial
 - d) Table the application to a future meeting

Note: The Planning Commission has 100days to act on the application after the first meeting at which it is considered, or the application will be automatically forwarded to the Board of Supervisors with a recommendation of approval. The Commission likely will recommend denial if there continue to be unresolved issues with the project. The 100day deadline does not apply when the applicant requests or agrees with the delay.

STEP 4: Attend the Board of Supervisors' Public Hearing
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- The Board receives a recommendation from the County Administrator as well as the Planning Commission (these recommendations are not always the same), and welcomes public comments.
- The Board takes final action after discussion of the information presented during the public hearing and the recommendations of the County Administrator and Planning Commission.

The Board will:

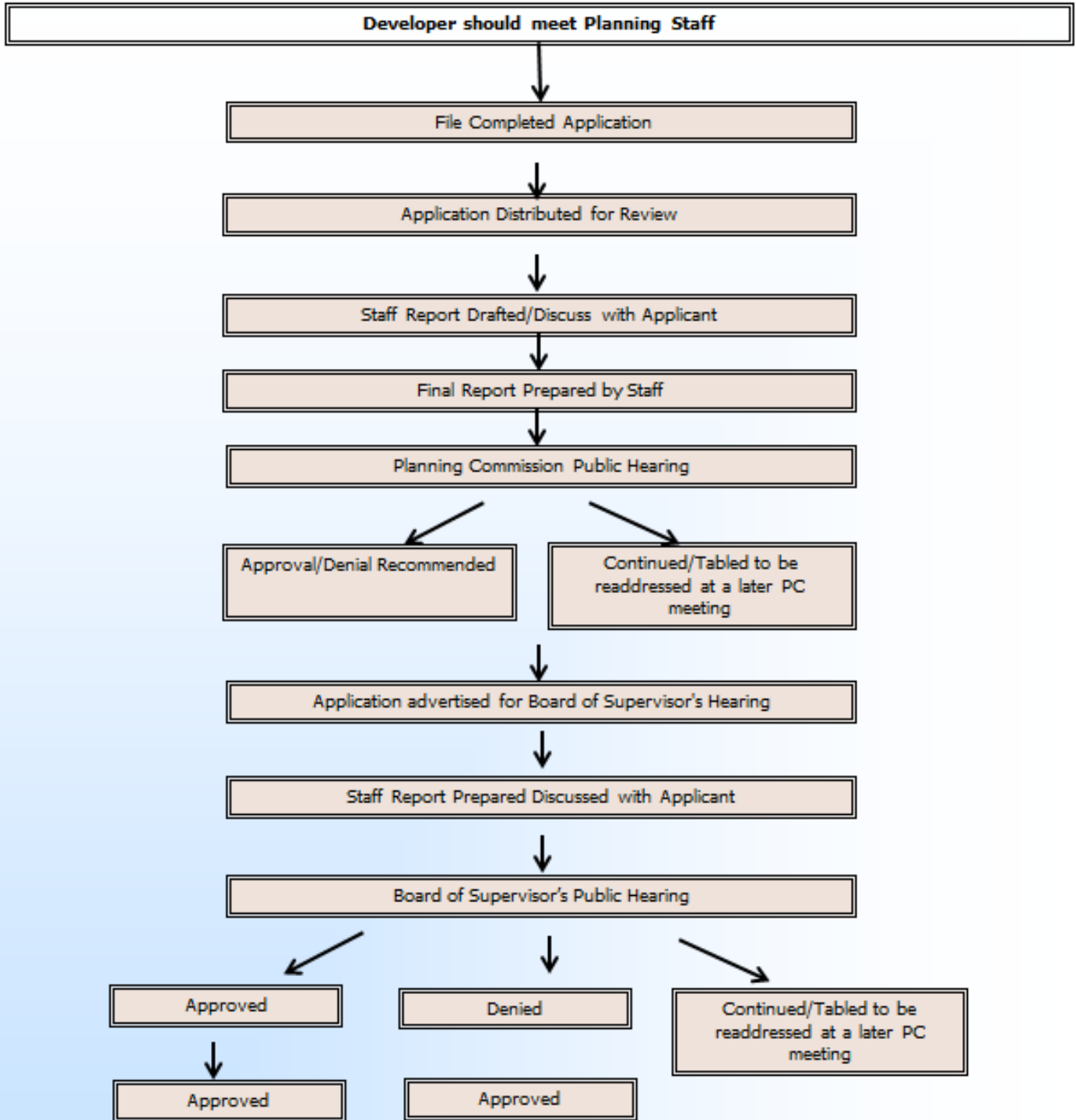
- a) Approve as submitted
- b) Approve with modifications
- c) Deny
- d) Table it to a later meeting

The Board must take action within one year of the date a rezoning petition was filed or the project is approved automatically.

STEP 5: If approved, proceed with the design of the project.

For further information, see “Site Plan Procedure” or “Subdivision Procedure.”

Special Use Permit Process



VARIANCE AND APPEALS

Variance and Appeal Procedure

If the proposed development does not meet zoning or subdivision requirements and there are no alternatives that allow compliance with required codes, or if there is a disagreement with the decision of a County official, you may seek relief from the Board of Zoning/Subdivision Appeals.

The Board is authorized to hear variance requests from the Zoning or Subdivision Ordinances and appeals from the decisions of the Zoning Administrator or Subdivision Agent. In certain circumstances, the Zoning Administrator is authorized to grant administrative modifications without the need for the request to be acted on by the Board of Zoning Appeals.

The approval of your request for relief is not automatic. The Zoning Administrator and Board of Zoning/Subdivision Appeals judge each application against specific established criteria.

PROCEDURE AT A GLANCE	
1	Request an application and set up a meeting with the Secretary to the Board of Zoning /Subdivision Appeals (BZA).
2	Complete application with the necessary plans, plats, and other required documentation and turn in with required fees*.
3	Attend Board of Zoning/Subdivision Appeals public hearing.
4	If approved, proceed with the design of the project.

**Note: Application to appeal a decision of the Zoning Administrator or Subdivision Agent must be filed within 30 days of each decision.*

In Depth Look at the Procedures

STEP 1: Request an application and set up a meeting with Secretary to the Board of Zoning/Subdivision Appeals.

Schedule a meeting by calling (757) 890-3531. The office is located at 102 County Drive.

Points to cover during the meeting:

1. Check code requirements to determine how they affect your property.
2. Determine whether or not alternatives exist that satisfy code requirements.
3. If no alternatives are available, determine the type of relief needed (i.e. variance or appeal) and the degree of relief needed (i.e. 35 foot setback instead of a 50 foot setback).
4. Study the review criteria for your particular type of request to determine if it likely will be approved or denied by the Zoning Administrator or Board. Review criteria for variances, modifications, and appeals can be found in Section 24.1-901 of the Zoning

Ordinance. The Secretary of the Board of Zoning Appeals provides criteria utilized for appeals.

5. Obtain an application, list of review criteria, and schedule of Board of Zoning/Subdivision Appeals meetings and submission deadlines. The Board typically meets once a month. Applications must be received one month in advance.

STEP 2: Submit application, fee, plat or plan.

1. Submit application, fee, plat or plan, and any other supporting documents to the Secretary before the submission deadline. In addition, the owner(s) of the property must sign a statement verifying that there are not any delinquent real estate taxes, nuisance charges, or any other charges that constitute a lien on the property. The property owner must sign the application.
2. Staff examines the application to ensure it is complete and, if so, begins the process of soliciting comments from applicable agencies as necessary.
3. Public notice of the proposed action is prepared and sent to the local newspaper and to adjacent property owners.
4. The Secretary prepares a staff report, but typically does not include recommendations for approval or denial in the report.

STEP 3: Attend Board of Zoning/Subdivision Appeals public hearing.

Staff presents the application and background information to the Board. The property owner or agent may present additional information and/or explain to the Board how the request meets the applicable review criteria. Other area property owners and interested parties are allowed to speak.

The Board of Zoning/Subdivision Appeals makes one of the following decisions:

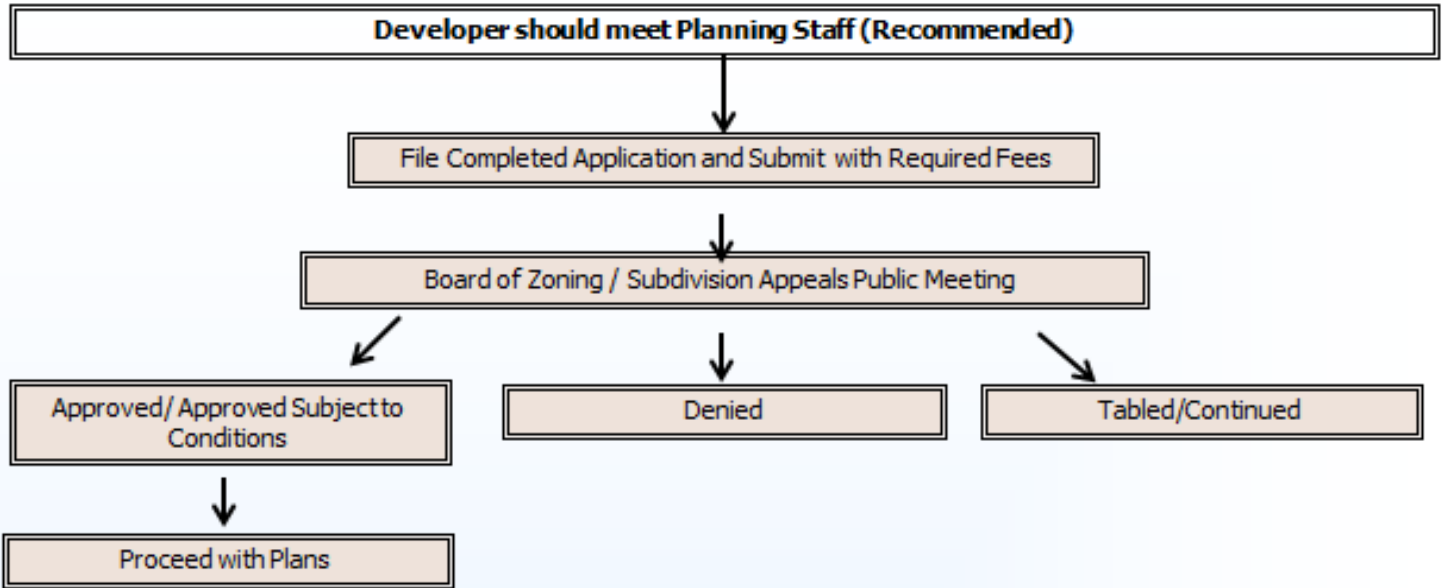
- Approval
- Approval subject to certain conditions
- Denial
- Table it to a later meeting

The Board has 90 days to act on an application. The 90 day deadline does not apply when the applicant requests or concurs in a delay.

STEP 4: If approved, proceed with the design of the project.

If approved, proceed with the design of the project, if applicable (see “Site Plan Procedure” or “Subdivision Procedure”).

Variance Process



SITE PLANS AND SUBDIVISIONS

SITE PLAN AND SUBDIVISION PLAN PRE-APPLICATION MEETING REVIEW PROCESS

The objective of the Pre-Application Meeting is to provide an applicant with enough feedback about their project that potentially it takes only one or two rounds of review to approve a project once it is formally submitted. Upon formal submission of the application following the Pre-Application Meeting, the project will receive *Priority Status* (15 business day review period instead of 60 calendar day review period), if all required materials are present.

Requirements for Pre-Application Meeting:

- *Seven copies of 70-80% engineered plans* including drainage, sanitary sewer, and traffic designs. For minimum plan requirements, click on “Pre-Application Meetings Info” link on the Development Services home page at:
www.yorkcounty.gov/CountyGovernment/Administration,County/DevelopmentServices.aspx

NOTE: INCOMPLETE / INSUFFICIENT PLANS WILL NOT BE ACCEPTED

- Brief narrative about the project.
- Plans and narrative submitted to Development Services by the *Deadline for Submission Date* (see Pre-Application Schedule). Call the County’s Administrative Technician at (757) 890-3531 for meeting times.
- The developer, property owner, and/or their agent must attend the Pre-Application Meeting.

Note: The Pre-Application Meeting should not be confused with informal pre-submission meetings that often are held between developers, consultants, and County staff to discuss the “developability” of a specific property prior to purchase or before a refined conceptual plan is developed. These meetings are available upon request and are considered beneficial to the development process, but are not mandatory.

Site Plan Procedures

Site plans are required for all land uses except the following:

- Single family detached and individual duplex dwellings
- Agricultural operations
- Filling and grading where no impervious structures or improvements will be installed and no clearing is undertaken

REVIEW PERIOD: 60 calendar days (maximum) for first submittal of Non-Priority Projects
45 calendar days for any subsequent re-submittal of plan

Priority Projects - 15 business days for each submittal
(see page 20, Pre-Application Review Process)

TERM OF VALIDITY: Approval expires in five years unless building permits have been issued, in which case, approval runs concurrently with the validity of the building permits (Zoning Ordinance Section 24.1-805).

PROCEDURE AT A GLANCE	
1	Pre-Submission Meeting with Development Services Division.
2	Pre-Application Meeting with plan reviewers (see page 20, optional).
3	Plan prepared by engineer, architect, landscape architect or land surveyor.
4	Submit Plans, Development Application, CD, fee, and attachments for review.
5	Make revisions, if necessary, as required by County staff, and resubmit 13 folded copies of the plan, a CD (the plan and any new or revised attachments), new or revised attachments and three letters of response indicating how the comments were addressed.
6	After approval, pay required fees and obtain necessary permits.

In Depth Look at the Procedures

STEP 1: It is strongly recommended that a pre-submission meeting be scheduled with a staff member of the Development Services Division. The office is located at 102 County Drive. *If interested, please call (757) 890-3531 to schedule an appointment.*

1. Check zoning of property to determine if the proposed use is permitted as a matter of right under current zoning classification. If not, you may be referred to the Planning Division (see “Rezoning/Special Use Permit” section of this guide for the procedure).
2. Review your proposed development for the site. You should bring with you any information, plats, or plans you have that will aid in the review and illustrate your proposal.
3. Learn about County plans, policies, and ordinances that may affect your proposed development.

4. A TIA is required if the proposed use exceeds 1,000 trips, if the traffic volume during a peak hour equals or exceeds 100 trips, or if required by the applicable performance standard.
5. Obtain an application, checklist, and ordinances.

STEP 2: If interested, attend a Pre-Application Meeting to receive the benefit of an expedited review. See Page 20 for more information on this process.

STEP 3: Have site plan prepared by an engineer, architect, landscape architect, or land surveyor who is registered by the Commonwealth of Virginia.

See Chapter 24.1- Zoning in the Code of the County of York

- Article V - Site Plans (for detailed information on plan preparation)
- Article II - General Regulations
- Article III - District Regulations (including Overlay Districts)
- Article IV - Performance Standards for Uses
- Article VI - Off-street Parking and Loading
- Article VII - Signs

STEP 4: Submit Development Application, plans, fee, CD and attachments for review.

Submit the following:

- Development Application
- Fee (see Schedule of Fees, page 61)
- 13 Folded copies
- CD of Site Plan and attachments (pdf format)

The following attachments, if applicable:

- 5 Copies of the drainage calculations and drainage area maps
- 3 Copies of the Water Quality Impact Assessment
- 5 Copies of the Traffic Study
- 2 Copies of the Erosion and Sediment Control Narrative
- Other related documentation as required (*see application for # of copies*)

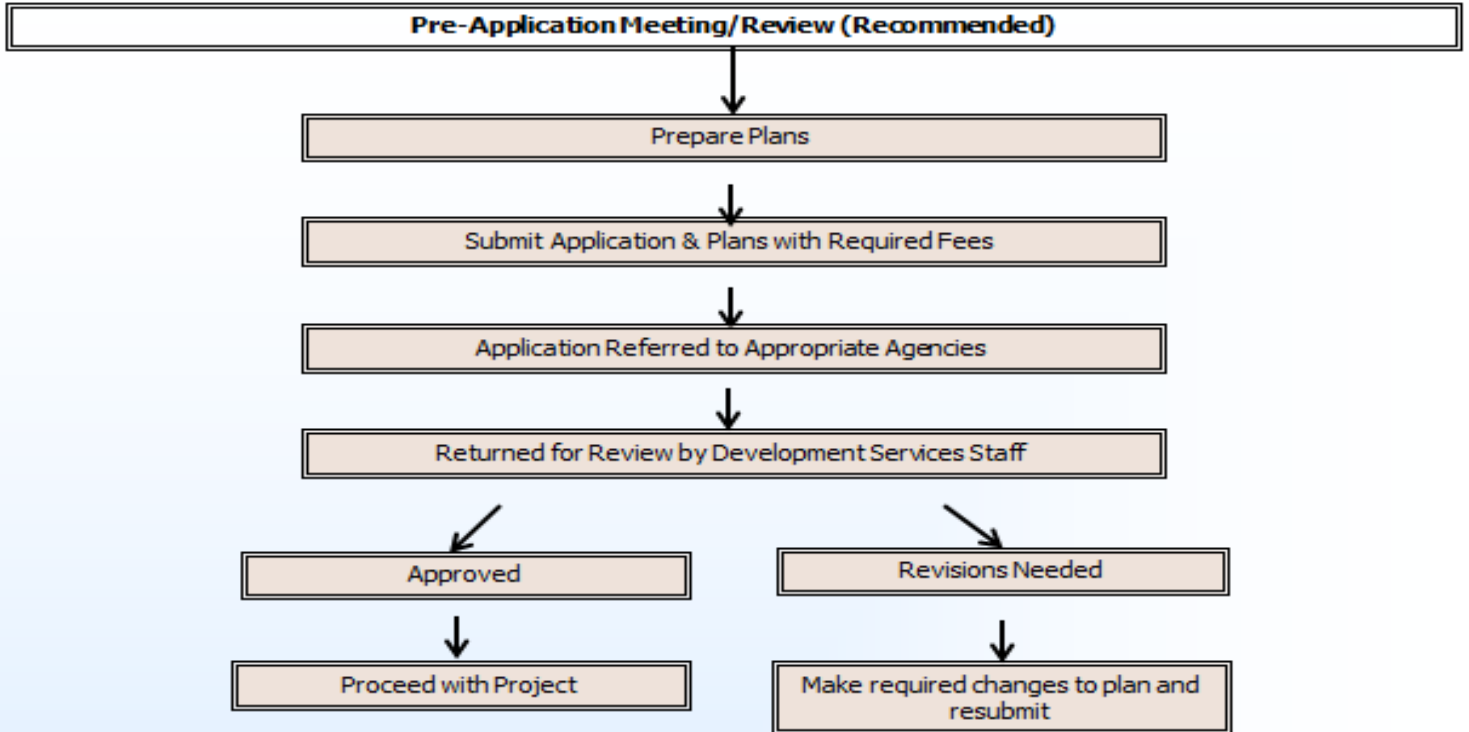
If “Priority Status” (see page 20), submit items above **and**:

- *Signed* Pre-Application Meeting Certification Form
- All attachments marked on Pre-application Meeting Certification Form
- Annotated comments of review comments received at Pre-Application Meeting

STEP 5: Make revisions, if necessary, as required by County staff, and resubmit 13 folded copies of the plan, a CD (the plan and any new or revised attachments), new or revised attachments and three letters of response indicating how the comments were addressed.

STEP 6: Once the plans have been approved, proceed by paying applicable fees and obtaining permits (see EROSION AND SEDIMENT CONTROL PROCEDURE and BUILDING PERMIT PROCEDURE).

Site Plan Process



Subdivision Procedures

The procedure applies to any proposed division of land in York County, except for subdivisions that create 50 or fewer lots, which do not require the submittal of a preliminary plan. The review procedure is generally repeated at least twice for each stage of review as noted below:

PROCEDURES AT A GLANCE	
1 st Stage	Preliminary Plan
2 nd Stage	Development Plan
3 rd Stage	Final Plat
<i>The Development Plan and Final Plat procedure may be repeated for each section of the subdivision, if developed in phases.</i>	

Before you begin preparation of the Preliminary Plan, it is strongly recommended that a meeting be scheduled with a staff member of the Development Services Division. The office is located at 102 County Drive. (757) 890-3531.

Points to cover at the meeting:

1. Familiarize yourself with County plans, policies, and ordinances that may affect your proposed development.
2. Check the zoning of the property.
3. Determine if a Traffic Impact Study will be required.
4. Review the proposed development. Plan to bring with you any related information to include plats or a sketch plan.
5. Obtain an application, checklist, and ordinances.

Classifications of Subdivisions (see Subdivision Ordinance, Section 24.5-27):

- Public Service Lots, Rights-of Way
- Minor Subdivision
- Multiplex/Townhouse/Condominium
- Planned Development
- Boundary Line Adjustment
- Major Subdivision

Special Provisions for *Family Subdivisions* (see Subdivision Ordinance, Section 20.5-34)

In Depth Look at the Procedures

1ST STAGE: PRELIMINARY PLAN

NOTE: Preliminary Plan required for 51 or more lots. Preliminary Plan is optional for 50 or fewer lots.

REVIEW PERIOD: 60 calendar days (maximum) for first submittal
45 calendar days for any subsequent re-submittal of plan

TERM OF VALIDITY: The subdivider has one year from the date of official notification of approval of the preliminary plan in which to file a development plan meeting all of the submittal requirements. (See Articles II and IV of the Subdivision Ordinance, Chapter 20.5). Failure to do so makes the preliminary plan approval null and void.

STEP 1: Have Preliminary Plan prepared by a surveyor.

See Chapter 20.5 - Subdivisions in the Code of the County of York

- Article III - Preliminary Plan
- Article VI - Design Standards

See Chapter 24.1- Zoning in the Code of the County of York

- Article II - General Regulations

STEP 2: Submit Development Application, plans, fee, CD, and attachments for review.

Submit the following:

- Development Application
- Fee (see Schedule of Fees, page 61)
- 13 Folded copies
- CD of Preliminary Plan and attachments (pdf format)

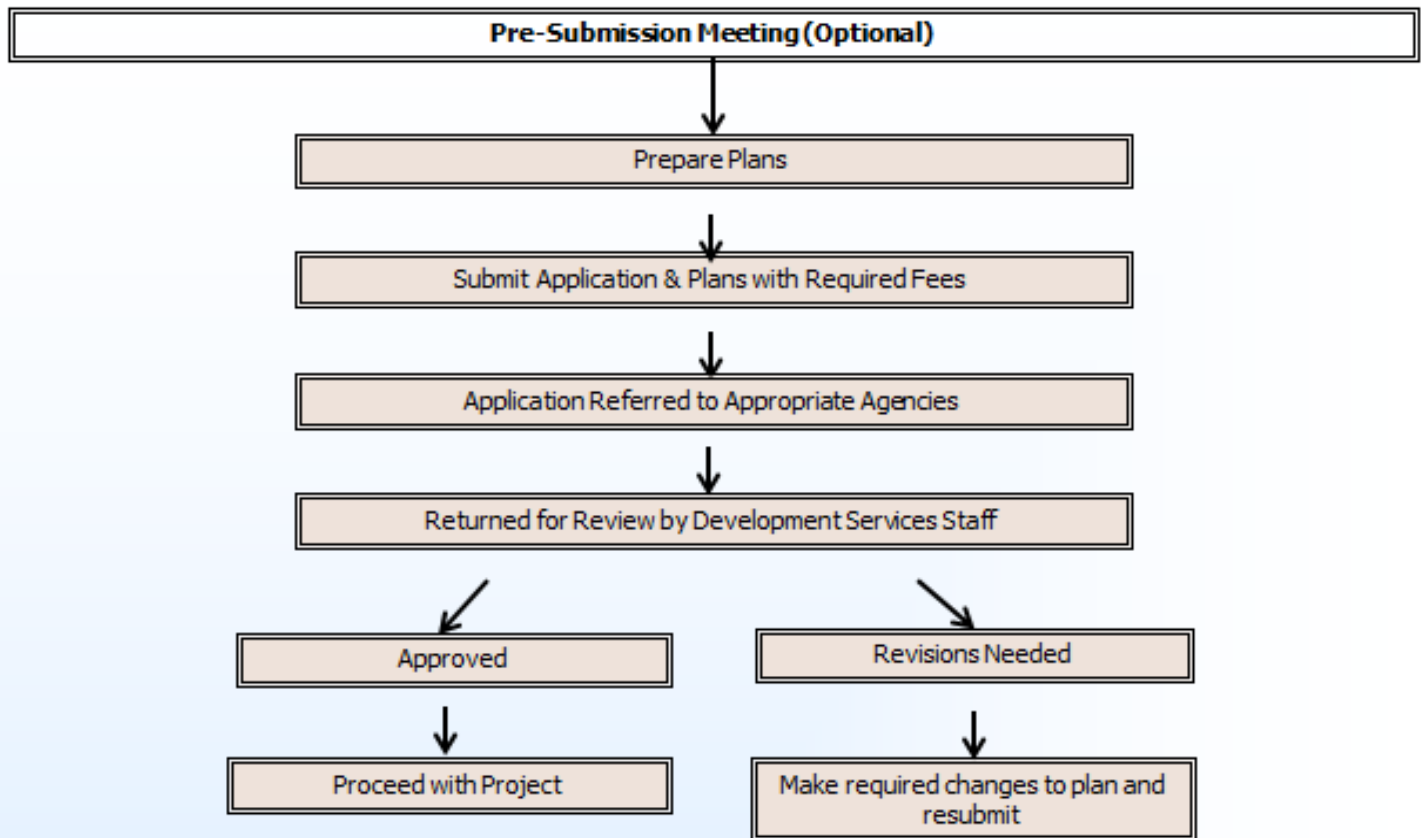
The following attachments, if applicable:

- 5 Copies of Traffic Impact Analysis (if zoning district would allow for 51 or more lots)
- 3 Copies of Natural Resource Inventory
- 3 Copies of Water Quality Impact Assessment (if property is located in Chesapeake Bay Preservation Area)
- 3 Copies of Impact Study (if property is located in Watershed Management and Protection Area Overlay District)
- Other related documentation as required (*see application for # of copies*)

Development Services reviews the application to ensure it is complete. Staff begins the review process by distributing plans to the applicable County and State agencies.

STEP 3: Make revisions, if necessary, as required by County staff, and resubmit 13 folded copies of the plan, a CD (the plan and any new or revised attachments), new or revised attachments and three copies of initialed comments and/or letters describing how each comment was addressed or why a comment was not addressed.

Preliminary Plan Process



2ND STAGE: DEVELOPMENT PLAN

NOTE: Proceed with the Development Plan only after the Preliminary Plan, if applicable, has been approved or if the subdivision will result in 50 or fewer lots.

REVIEW PERIOD 60 calendar days (maximum) for first submittal
45 calendar days for any subsequent re-submittal of plan

TERM OF VALIDITY: The subdivider has one year from the date of official notification of approval of the development plan within which to file a final plat for those sections contained in said plan meeting all of the submittal requirements established in article V of this chapter. Failure to do so makes the development plan approval null and void.

STEP 1: Have Development Plan prepared by a surveyor and engineer.

See Chapter 20.5 - Subdivisions in the Code of the County of York

- Article IV - Development Plan
- Article VI - Design Standards

See EROSION AND SEDIMENT CONTROL PROCEDURE section of this guide, page 38.

STEP 2: Submit Development Application, plans, fee, CD and attachments for review.

Submit the following:

Development Application

- Fee (see Schedule of Fees, page 61)
- 13 Folded copies
- CD of Site Plan and attachments (pdf format)

The following attachments, if applicable:

- 5 Copies of the drainage calculations and drainage area maps
- 3 Copies of the Water Quality Impact Assessment
- 5 Copies of the Traffic Impact Study
- 2 Copies of the Erosion and Sediment Control Narrative
- 2 Copies of the Erosion and Sediment Control Cost Estimate
- 3 Copies of the Natural Resources Inventory
- 2 Copies of Environmental Permits or letter stating the permits are not needed
- Copy of documentation assigning responsibility for maintenance of streets, landscaping, drainage facilities, etc.
- Copy of documentation proving the creation of a proposed Home Owners Association.
- Copy of the Title Certification & Lien Disclosure
- Other related documentation as required (*see application for # of copies*)

STEP 3: Make revisions, if necessary, as required by County staff, and resubmit 13 folded copies of the plan, a CD (the plan and any new or revised attachments), new or revised attachments and three copies of initialed comments and/or letters describing how each comment was addressed or why a comment was not addressed.

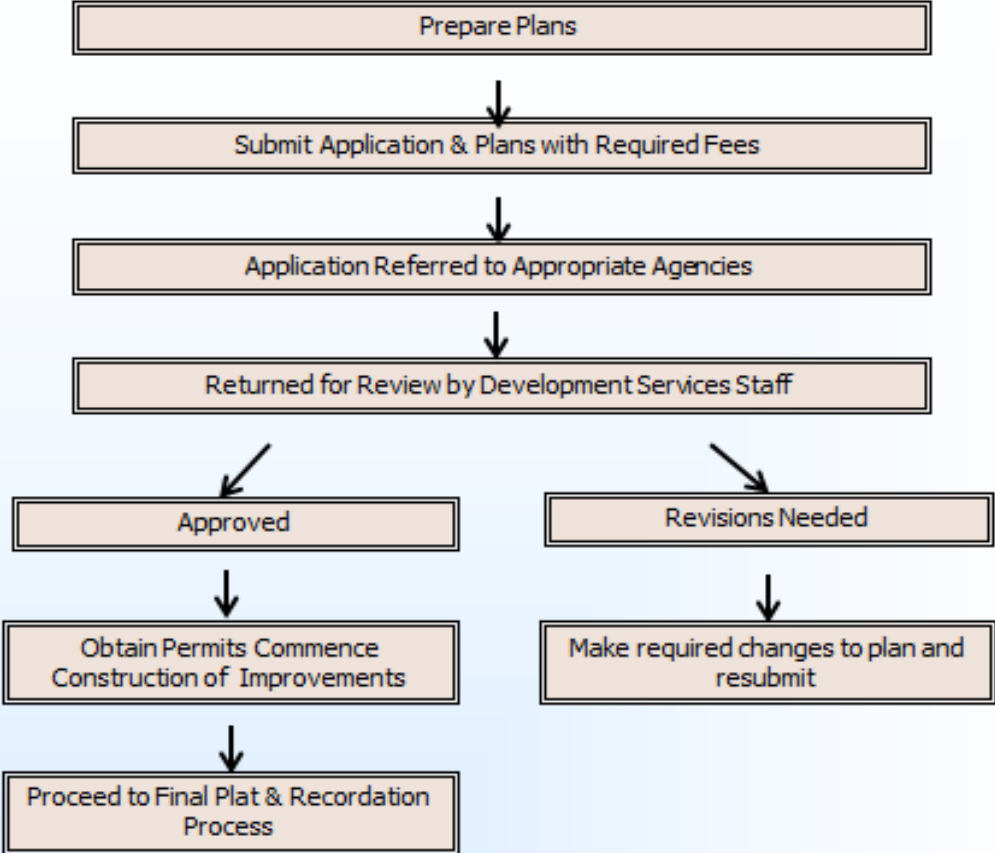
STEP 4: After the Development Plan has been approved, fees have been paid, and permits have been issued, you can begin completing improvements or submit a subdivision agreement and surety.

- Option 1: Begin construction and complete a portion of the required public and physical improvements. Also, submit a Subdivision Agreement and surety to guarantee completion of the remaining improvements.
- Option 2: Submit a Subdivision Agreement and Surety to guarantee completion of all improvements.

Before a subdivision plat is recorded, the following items must be submitted to the Development Services Division:

- a. Cost Estimate - Documentation of the cost of all public/physical improvements, with the cost of incomplete improvements clearly defined, preferably in the form of copies of a contractor's bids. These cost estimates must be detailed in nature and relate to the various elements of construction, including but not limited to the cost of the public water system (lines, fire hydrants, etc.), the storm drainage system (storm sewer lines, inlet and outlet structures, etc.), and the street improvements (stone base, curbing, asphalt, landscaping, etc.). This information is needed in order to establish the amount of the surety.
- b. Subdivision Agreement covering proposed construction of all public/physical improvements.
- c. Surety - Irrevocable letter of credit (sample included in Subdivision Agreement), official check, cashier's check, or evidence of cash escrow in an amount approved by the County after review of the cost estimates.
- d. Authorization - Appropriate documentation, such as minutes of a meeting of the Board of Directors, setting forth the authorization for the person(s) signing the agreement, the final plat, and other associated documents to do so on behalf of the developer/property owner.

Development Plan Process



3RD STAGE: FINAL PLAT AND RECORDATION PROCESS

NOTE: Proceed with the Final Plat only after the Development Plan has been approved.

REVIEW PERIOD 60 calendar days (maximum) for first submittal
45 calendar days for any subsequent re-submittal of plan

TERM OF VALIDITY: The subdivider has six months from the date of official notification of approval of the final plat in which to have the record plat filed and recorded by the Clerk of the Circuit Court. Failure to do so makes approval null and void.

STEP 1: Have Final Plat prepared by a land surveyor.

See Chapter 20.5 - Subdivisions in the Code of the County of York

- Article V - Final Plat
- Article VI - Design Standards

STEP 2: Submit Development Application, 13 folded plans, fee, CD, and applicable attachments for review.

STEP 3: Make changes to plan per planner review comments, if necessary, and resubmit 13 folded copies of plan, one CD, and three copies of initialed comments and/or letters describing how each comment was addressed or why a comment was not addressed.

STEP 4: *When the Final Plat has been approved*, submit three *signed and notarized* reproducible mylar copies of the Record Plat, the recordation fee, other applicable fees, and copies of all other required documents to the Development Services Division.

- The Record Plat (reproducible mylar copies of the Final Plat) is reviewed to ensure that it is in full conformance with the approved Final Plat. The Subdivision Agent signs each copy, has the plat recorded by the Clerk of Circuit Court, provides a copy to the developer after recordation, and returns the original to the land surveyor.

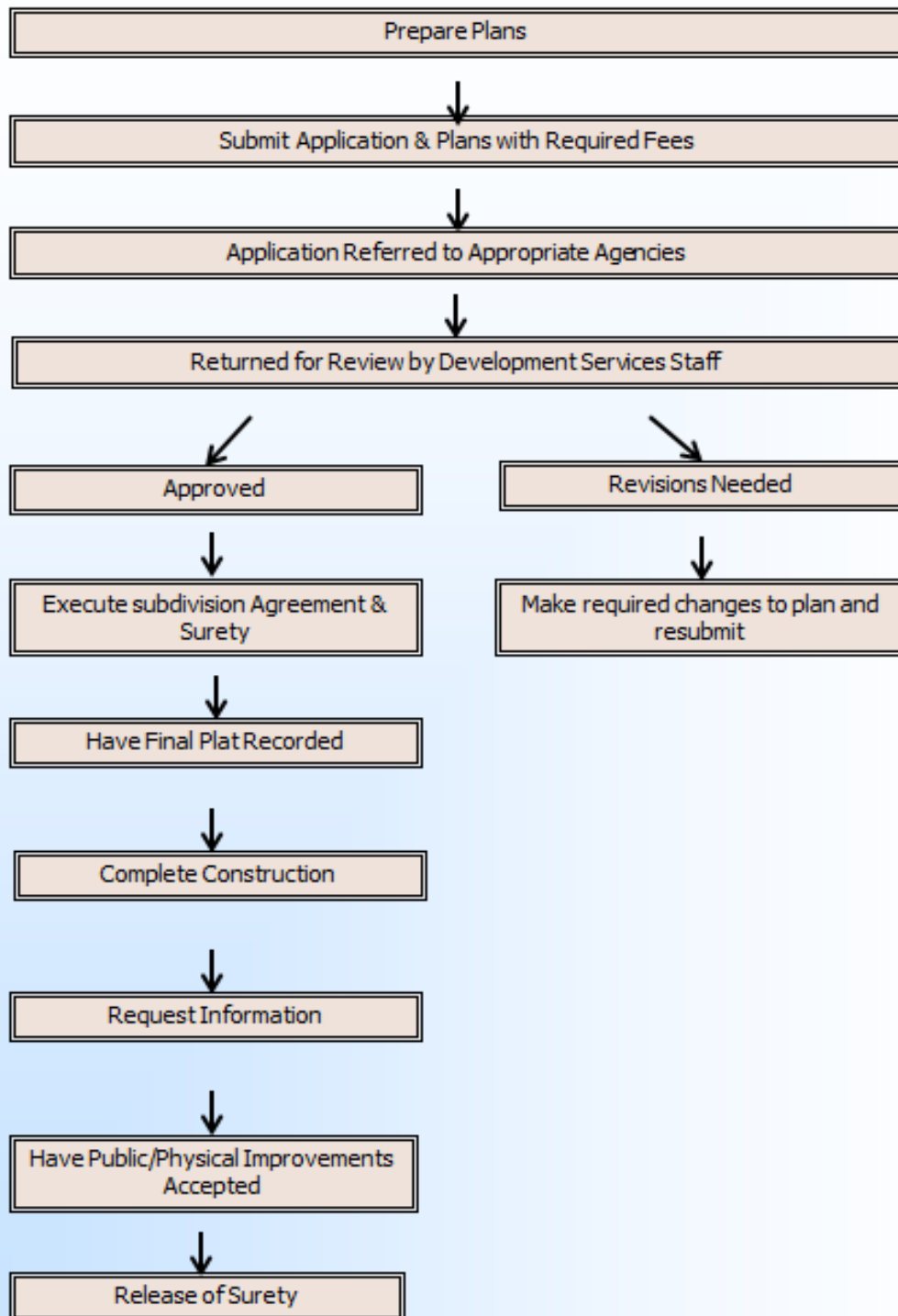
STEP 5: Complete any outstanding construction, request inspections, and have public/physical improvements accepted by the County and/or VDOT.

- Reduction and/or release of surety will follow, upon completion and acceptance of public and physical improvements. The annual surety inspections will take place over the course of the project, and if applicable, portions of the surety can be released incrementally.

STEP 6: Once the Record Plat has been recorded, proceed to selling of lots, if applicable.
Building Permits are issued once specified site improvements are completed.

- Addresses must be issued prior to the submittal of a building permit application. This may take up to ten (10) business days after the Record Plat has been recorded.

Final Plat Plan Process



Sign Permits,
Tourist Corridor Management
& Route 17 Overlay District
Procedures

Sign Permits

Any sign that is erected, altered, expanded, reconstructed, replaced or relocated on property in York County must be in conformance with the provisions of Article VII of the Zoning Ordinance (Chapter 24.1). See the table contained in Article VII of the Zoning Ordinance for allowable sign types and maximum allowable sign size based on zoning district. *Note: Face change of existing signage requires a permit, but there is no fee.*

Before submitting an application for a sign, it is strongly recommended that you call the Zoning Office (in the Development Services Division) to explore your options and to determine if your proposal is feasible. (757) 890-3523.

An application for a sign permit should consist of a drawing depicting the proposal including:

- Size of the sign (height x width in square feet)
- Artistic color rendering of the sign and/or detailed plan/drawings
- Height of the sign from finished grade
- A depiction of the landscaped area at the base of the sign

The applicant also should include:

- Plot plan with a drawing of the proposed placement area showing the distance in feet that the sign will be from all property lines (*the minimum distance of a sign from property lines is 10 feet*).
- Whether or not the sign will be lighted (either internally or externally), and, if so, the name of the electrical firm responsible for the lighting. An electrical permit is required.

Applications must be submitted to the Building Regulation office located at 103 Service Drive. The application will be forwarded to the Zoning office for review. If approved, Zoning staff returns the signed application to the Building Regulation office; if denied, Zoning staff contacts the applicant. The fee for the permit, based on the size of the sign, can be paid when the permit is ready to be picked up.

A building permit may be required for the base of a monument sign that requires a footer. For more information contact the Building Regulation office. (757) 890-3522.

Additional standards apply to signs erected within the Tourist Corridor Management (TCM) Overlay District. A separate application is required (see next section).

For more information or to print an application, visit the Development Services home page at www.yorkcounty.gov/CountyGovernment/Administration,County/DevelopmentServices.aspx

Tourist Corridor Management (TCM) Overlay District

Section 24.1-375 of the Zoning Ordinance establishes the Tourist Corridor Management (TCM) Overlay District to protect the aesthetic and visual character of the transportation corridors leading into and through the historic districts of Williamsburg and Yorktown. The TCM regulations apply to all new construction as well as modifications on lands that fall within 250 feet of the following arterial rights-of-way:

- George Washington Memorial Highway (Route 17) north of Cook Road
- Richmond Road (Route 60)
- Bypass Road (Route 60)
- Pocahontas Trail (Route 60)
- Route 132
- Merrimac Trail (Route 143) west of Queen Creek
- Goosley Road (Route 238) east of Route 17
- Cook Road (Route 704), but excluding the east side of the road between Route 17 and Old York Hampton Highway (Route 634)
- Colonial National Historical Parkway
- Second Street from Merrimac Trail to the City of Williamsburg boundary line
- Interstate 64 and any frontage roads (F-xxx) that abut and run parallel to the I-64 right-of-way
- Route 199

Route 17 Corridor Overlay District

Section 24.1-378 of the Zoning Ordinance establishes the Route 17 Corridor Overlay District to protect the aesthetic and visual character of the Route 17 corridor leading to the Yorktown historic district. The regulations apply to new construction or modifications on parcels with frontage along Route 17 between the Newport News city line and Cook Road, and shall extend to the depth of the property or 500 feet, whichever is less.

.....

For projects located in either the **Tourist Corridor Management** or **Route 17 Corridor** Overlay Districts, the appropriate application is required to be submitted with the site plan. In addition, the following supplemental information must be submitted:

- Architect's or artist's rendering of all proposed structures
- Rendering of the landscape treatment (may be combined with structures rendering)
- The location and design of all proposed exterior site lighting
- Photographs or drawings of neighboring uses and architectural styles

The application and supplemental information will be reviewed by the planner who is coordinating the review of the site plan and must be approved by the Zoning Administrator.

STORMWATER AND EROSION & SEDIMENT CONTROL

Stormwater and Erosion & Sediment Control Procedures

If you propose to grade, excavate, fill, clear, or otherwise disturb land in York County, you have to comply with the requirements of the Erosion & Sediment Control Ordinance (E&S), Chapter 10 of the York County Code, and the Stormwater Management Ordinance (Chapter 23.3 of the York County Code), and obtain a Land Disturbing Activity (LDA) Permit as well as a Virginia Stormwater Management Program (VSMP) Permit. Note that E&S plans are submitted as part of any development plan or site plan.

PROCEDURE AT A GLANCE	
1	Schedule a meeting with a Stormwater Engineer in the Department of Public Works
2	Prepare plans in accordance with the Ordinances
3	Amend plan as required by staff
4	Submit Erosion and sediment control agreement, stormwater agreements, sureties, and permit fees as necessary
5	Attend pre-construction meeting
6	Install all temporary and permanent E&S control practices
7	After land disturbing activities are completed and final as-builts have been submitted, call for a final inspection

In Depth Look at the Procedures

REVIEW PERIOD: The plan must be approved or denied within 45 days of its submission (refer to Chapter 10 of the York County Code). If possible, final inspections are made within two working days of such a request. Release of the surety occurs within 60 days of the issuance of a “Certificate of Completion” (refer to Chapter 10 of the York County Code).

TERM OF VALIDITY: The LDA permit is valid for up to one year and may be extended for an additional year with the approval of the County Administrator. The permit will become void if work does not begin within six months of issuance or 12 months of plan approval (refer to Chapter 10 of the York County Code). The VSMP permit is valid for one year and can be renewed for up to five years.

STEP 1: It is strongly recommended that a meeting be scheduled with the Stormwater Engineer in the Department of Public Works Stormwater Management Division.

The office is located at 105 Service Drive. This meeting can be combined with a pre-submission meeting for a subdivision or site plan. (757) 890-3752.

Points to cover at the meeting:

1. Review your proposed construction activity or development; bring any information, plats, or plans you have, that will illustrate your proposed project.
2. Determine if the Erosion and Sediment Control Ordinance or the Stormwater Management Ordinance applies to your proposed project.

3. Obtain: Application, checklist, sample agreement package, and ordinance.
4. Submit: A Natural Resources Inventory.

STEP 2: Have plans prepared by a licensed professional in accordance with the provisions of the ordinances.

STEP 3: Submit application, four folded copies of the plan, including narrative description, and the fee, to the Stormwater Management Division.

If your proposal is included in a subdivision or site plan submission, the plan will be reviewed and comments returned as part of the County's response (as described in the procedures for Site Plan and Subdivision Review).

If your proposal is not included in the subdivision or site plan submission, comments will be returned via letter by the Stormwater Management Division.

STEP 4: Make changes, if necessary, per comments and resubmit.

STEP 5: If approved, proceed by submitting a performance agreement and surety in the amount stated in the approval letter.

The sureties must be issued for a term extending a minimum of 60 days beyond the performance date set on the agreement. Please schedule a pre-construction meeting with the E& S Control Inspector. A surety is required to cover the cost of installation of E&S measures, and a separate surety is needed to cover stormwater infrastructure if a VSMP permit is required. The surety is returned at the end of the construction once the area is stabilized and as-built drawings are submitted and approved.

If the area of disturbance is over one acre, a VSMP Permit will also be required along with a Stormwater Pollution Prevention Plan (SWPPP).

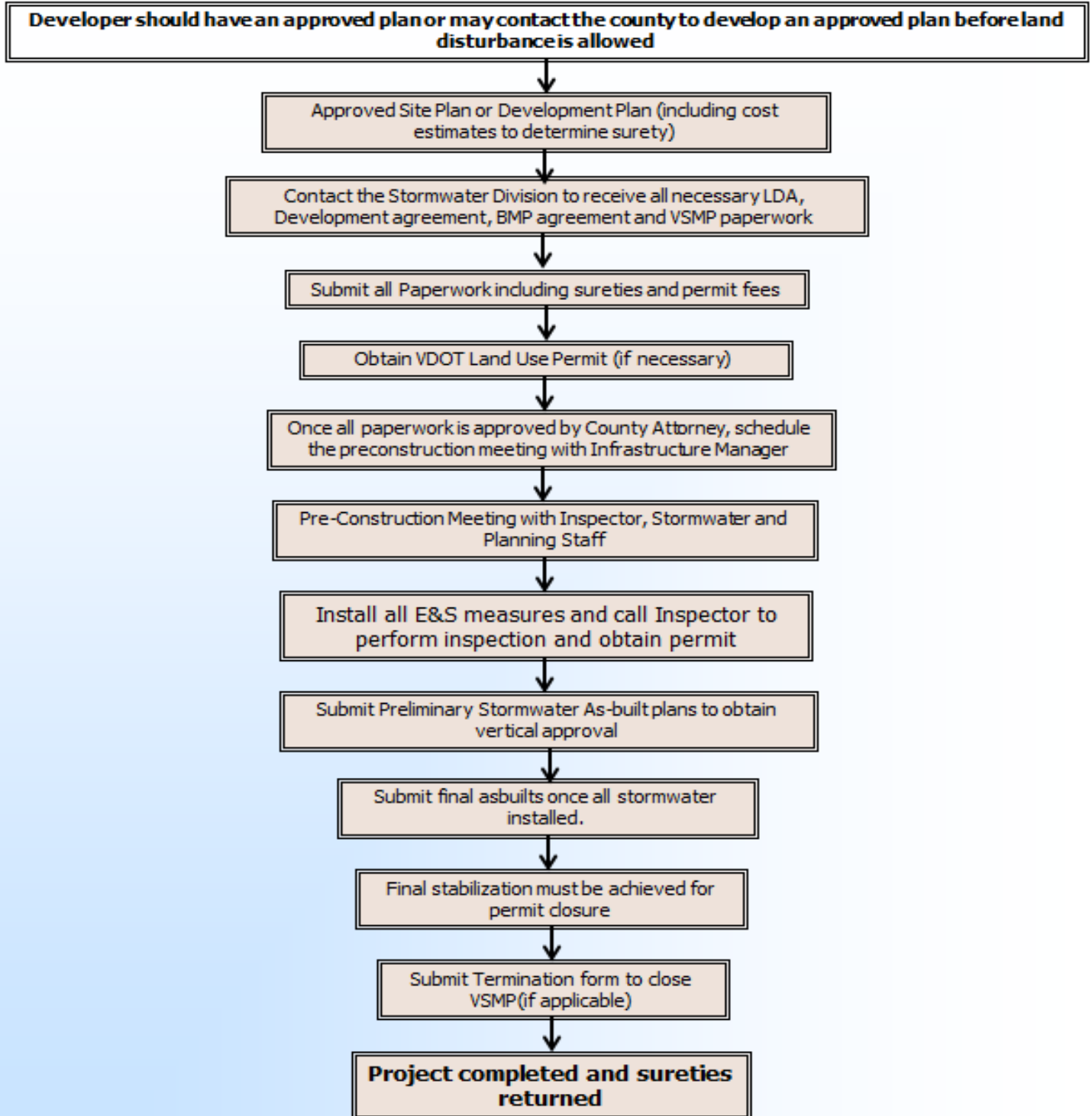
STEP 6: Attend pre-construction meeting.

The developer or his representative, the site work contractor, and the inspector meet at 105 Service Drive for a pre-construction meeting. Prior to the meeting, the limits of the clearing may be flagged, tree protection measures installed, and the VSMP Permit Bulletin Board erected. The Erosion and Sediment Control Plan and the Stormwater Pollution Prevention Plan (SWPPP) will be reviewed at the meeting.

STEP 7: After the installation of the initial erosion and sediment control practices, clearing and grading as well as site construction can begin. Before proceeding with the Building Permit Process, preliminary stormwater as-built drawings are required.

STEP 8: Call for a final inspection when all land disturbing activities are complete, final as-builts have been submitted, and all disturbed areas are permanently stabilized. The inspector will issue a Certification of Completion when the site work is approved.

Land Disturbing Process



CBPA Exception and Appeal Procedure

Chesapeake Bay Preservation Areas (CBPAs) consist of land adjacent to tidal shores, wetlands and perennial streams. There are generally two types: Resource Protection Areas (RPAs) and Resource Management Areas (RMAs). RPAs encompass the area directly over and adjacent to these water features and are protected by the strictest development restrictions in order to protect water quality. RMAs are 500-foot areas surrounding RPAs and, while having fewer restrictions than RPAs, are regulated for water quality purposes.

If you are not able to develop your property as you desire and in accordance with the Chesapeake Bay Preservation Act (CBPA) requirement, or you are in dispute with the decision of a County official, you may seek relief from the CBPA Board.

The Board is authorized to hear exception requests from the CBPA Ordinance and appeals from the CBPA manager. You should be aware that approval of your request for relief is not automatic and the CBPA Board judges each application on specific findings.

PROCEDURE AT A GLANCE	
1	Request an application (staff meeting strongly recommended)
2	Complete application with mitigation plan and other required documentation and turn in with required fee
3	Attend CBPA Board public hearing

In Depth Look at Procedures

STEP 1: Request an application with Stormwater Management Division

For an application, schedule a meeting in the Department of Public Works. The office is located at 105 Service Drive. (757) 890-3752

Points to cover during the meeting:

1. Check code requirements to determine how it affects your property.
2. Determine whether alternatives exist that satisfy code requirements.
3. If no alternatives are available, determine the type of relief needed and the degree of relief needed (i.e. 50 foot encroachment).
4. Study the CBPA findings for your particular type of request to determine whether your request is likely to be approved or denied by the CBPA Board. Review criteria for exceptions, modifications, and appeals is available in the CBPA Ordinance, Section 23.2 of the York County Code.

5. Obtain an application, list of review criteria, and schedule of CBPA Board meetings and submission deadlines. The Board typically meets once a month. Applications must be received approximately six weeks in advance.

STEP 2: Complete and submit application

1. Submit the completed application to Stormwater Management staff as soon as possible and before the submission deadline. A mitigation plan, site plan and/or survey, and any other supporting documents must accompany the application. The property owner's signature is required on each application.
2. Staff examines the application to ensure it is complete, and a letter is sent to the applicant if additional information is required.
3. Public notice of the proposed action is prepared and sent to the local newspaper and to adjacent property owners.
4. Stormwater Management staff prepares a staff report, but usually will not include a recommendation for approval or denial.

STEP 3: Attend CBPA Board public hearing

Staff presents the application and background information. The property owner or agent may present additional information and/or explain to the Board how the request meets applicable review criteria. Other area property owners and interested parties are allowed to speak.

The CBPA Board will make one of the following decisions:

- Approval
- Approval subject to certain conditions
- Denial
- Table it to a later meeting
- Determine the application to be incomplete

The Board has 60 days to act on an application. The 60 day deadline does not apply when the applicant requests or concurs with a delay, or the application is determined to be incomplete. The Board then has 65 days to make its determination.

York County Tidal Wetlands Permit Procedure

Coastal wetlands or “tidal wetlands” are generally found between the high water and the low water lines alongside tidal water bodies such as Lambs Creek, Moores Creek, Brick Kiln Creek, Queens Creek and the Poquoson River. Tidal wetlands include mud and sand flats as well as vegetated marshes and fringes. Vegetation, such as salt meadow hay and salt bush, which is typically found in tidal wetlands, can tolerate a wet and salty environment.

If you are developing waterfront property and need to stabilize the shoreline for erosion control, desire to construct a community pier, or are developing or expanding a marina, you will need a York County Wetlands Permit.

PROCEDURE AT A GLANCE	
1	Request a joint permit application (staff meeting strongly recommended).
2	Complete application with mitigation plan and other required documentation and turn in with required fee.
3	Attend Wetlands Board public hearing.

In Depth Look at Procedures

STEP 1: Request an application from Stormwater Management Division

To request an application, first schedule a meeting in the Department of Public Works. The office is located at 105 Service Drive. (757) 890-3538

Points to cover during the meeting:

1. Check code requirements to determine how they affect your property.
2. Study the review criteria for your type of request to determine whether it likely would be approved or denied by the Wetlands Board.
3. Obtain a joint permit application, schedule of Wetlands Board meetings, and submission deadlines. The Board typically meets once a month and applications must be received approximately six weeks in advance.

STEP 2: Complete and submit application

1. Submit the completed application to the VMRC as soon as possible and before the submission deadline. A mitigation plan, plats and/or plans, and fee, along with any other supporting documents must accompany the application. The property owner must sign each application.

2. Staff examines the application to ensure it is complete. A letter is sent to the applicant if additional information is required.
3. Public notice of the proposed action is prepared and sent to the local newspaper and to adjacent property owners.
4. Staff briefs the Wetlands Board, but typically does not include a recommendation for approval or denial.

STEP 3: Attend Wetlands Board public hearing

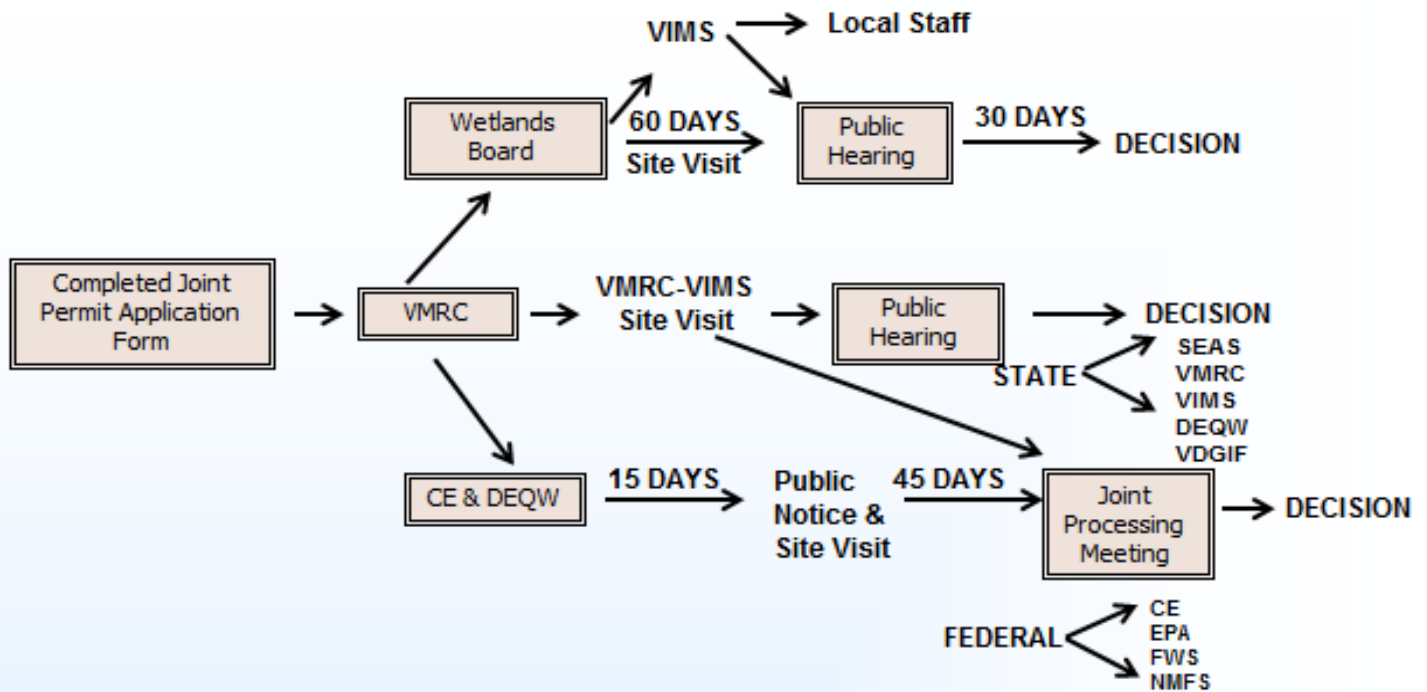
Staff presents the application and background information to the Board. The property owner or agent may present additional information and/or explain to the Board how the request meets applicable review criteria. Other area property owners and interested parties are allowed to speak.

The Wetlands Board will make one of the following decisions:

- Approval
- Approval subject to certain conditions
- Denial
- Table it to a later meeting
- Determine that the application is incomplete

The Board has 60 days to act on an application. The 60 day deadline does not apply when the applicant requests or concurs with a delay, or if the application is incomplete.

Virginia's Shoreline Permit Process



KEY	
VDGIF	– Virginia Department of Game and Inland Fisheries
VMRC	– Virginia Marine Resources Commission
VIMS	– Virginia Institute of Marine Science
DEQW	– Dept. of Environmental Quality, Water Division
SEAS	– Shoreline Erosion Advisory Service
EPA	– Environmental Protection Agency
FWS	– Fish and Wildlife Service
NMFS	– National Marine Fisheries Service
CE	– Corps of Engineers

From Virginia Institute of Marine Science

Wetlands

Special permits may be required if the property to be developed includes wetlands. The U.S. Army Corps of Engineers (ACOE) or an environmental consultant can assist in determining whether or not wetlands exist on the property. **THE FINAL DETERMINATION IS MADE BY THE ACOE, NOT THE COUNTY, REGARDING THE LIMITS AND CLASSIFICATIONS OF WETLANDS.**

For convenience and ease of processing, a joint application form has been adopted by the York County Wetlands Board, the Virginia Department of Environmental Quality, and the U.S. Army Corps of Engineers. This allows for processing of your application by all agencies concurrently. Please note that separate permits may be required by the various agencies, so be sure you have received authorization or waivers from each agency before you begin work.

The Virginia Marine Resources Commission (VMRC) functions as the central clearing house for the joint permit application. Contact VMRC for a copy of the “Information Guide & Joint Permit Application” and return completed forms and drawings to them.

Virginia Marine Resources Commission	2600 Washington Avenue, 3 rd Floor Newport News, VA 23607 (757) 247-2200
U.S. Army Corps of Engineers, Norfolk District	803 Front Street Norfolk, VA 23510 (757) 201-7652 for “Regulator of the Day”

Chesapeake Bay Preservation Areas (CBPAs)

The CBPAs are generally shown on the County’s GIS mapping; however, a site specific in-field investigation must occur with all development to determine whether or not the property is impacted by the CBPA regulations. The regulations are outlined in Section 23.2 of the York County Code. If the property contains Resource Protection Areas (RPAs), the most restrictive CBPA, then a special exception may be required with special conditions, such as replanting.

UTILITIES

Public Sewer Extension Agreement

A Public Sewer Extension Agreement (PSEA) is required by the County Code to be executed between the Developer and the County prior to any construction of sanitary sewer lines to be owned and maintained by the County. For any questions, please call the Right of Way Agent at (757) 890-3752.

-A PSEA for more than two connections must be approved by the Board of Supervisors.

-Any project that received previous approval from the BOS (e.g. Planned Development, Mixed Use Development and Rezoning) does not need additional BOS action to obtain PSEA approval. An applicant in these cases, however, would still need to complete the PSEA.

PROCEDURE

STEP 1: As part of the requirements for the submission of Site Plans and Development Plans for review, all existing and proposed utilities are to be shown.

STEP 2: If applicable, staff will draft a PSEA for the Board of Supervisors' consideration once the design of the sanitary sewer system is accepted by the York County Department of Public Works.

All credits, connection fees, and inspection fees associated with the sanitary sewer system for the development are incorporated in the body of the PSEA along with insurance requirements. (The PSEA must be finalized in draft form at least two weeks prior to the meeting at which Board action is desired).

STEP 3: The Board of Supervisors votes on the PSEA at a regularly scheduled meeting.

STEP 4: After the Board of Supervisors approves the PSEA, the developer must provide the insurance coverage required, pay for the inspection fees, and execute the PSEA.

Typically, a Corporate Resolution is required from the developer. The Corporate Resolution gives the person executing the PSEA the authority to enter into agreements on behalf of the Corporation.

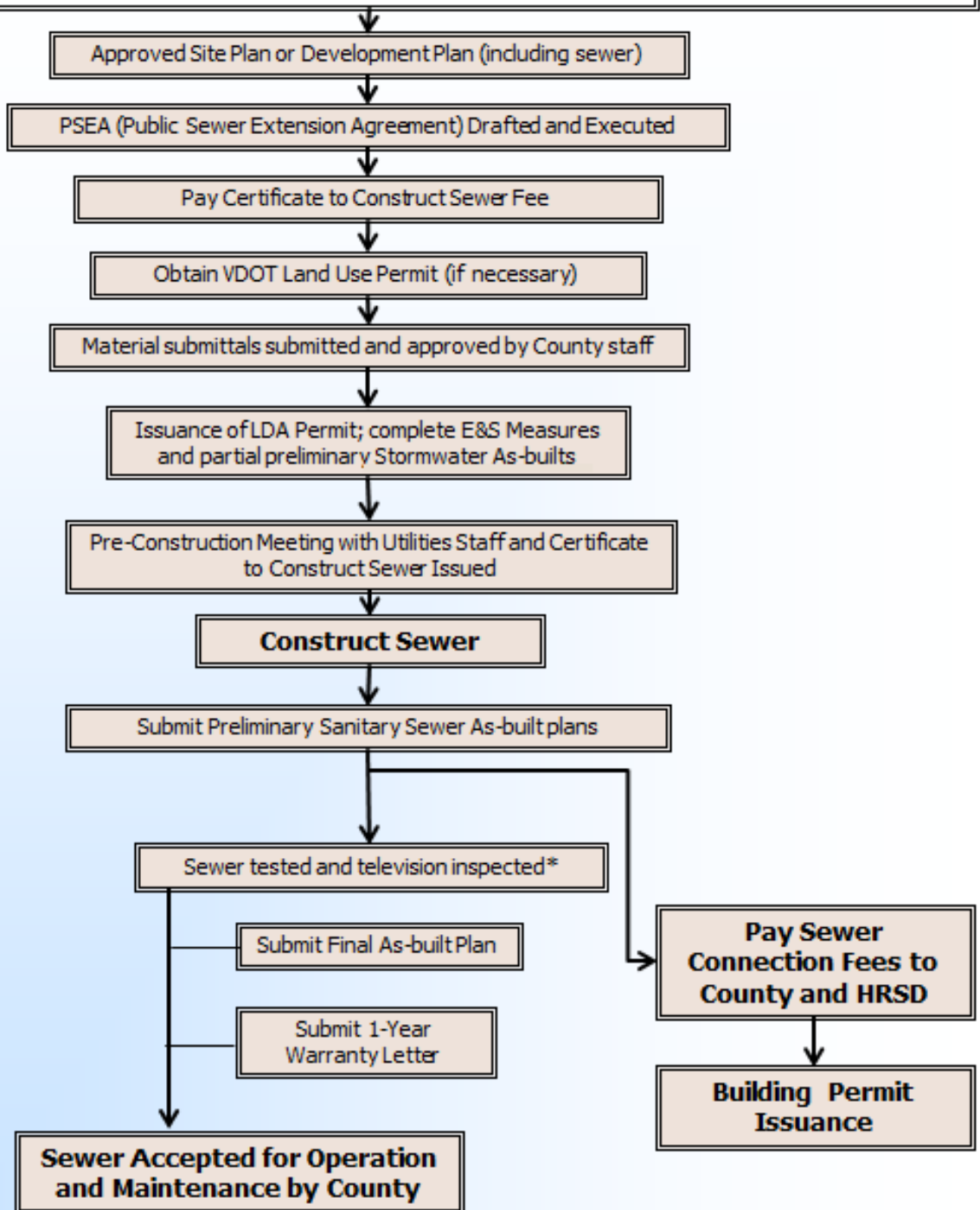
STEP 5: The County Attorney must approve all documents to form. Once approved, they are forwarded to the County Administrator to execute the agreement for the County.

Once all parties have executed the PSEA, the developer's utility contractor must schedule a meeting with the Infrastructure Manager for the Department of Public Works. This meeting is required to ensure the contractor is familiar with the County inspections and procedures.

Following this meeting *and* payment of the Certificate to Construct Sewer Fee, a “Certificate to Construct Sanitary Sewer Facilities” permit is issued.

Sanitary Sewer Process

Developer should contact County staff to discuss utility availability, type, and proximity prior to submitting a plan for review.



*CCTV is contractor's responsibility

Public Utilities

PUBLIC SYSTEMS are regulated by Chapters 18.1 and 22.7 of the York County Code and are administered by the Department of Public Works, located at 105 Service Drive. (757) 890-3751.

- **PUBLIC WATER:** Newport News Waterworks is the primary supplier of water to the County. In upper York County, there are several different suppliers (Newport News Waterworks, City of Williamsburg, James City Service Authority, York County, and privately owned systems) that serve residents and businesses.

Procedures and design requirements for extending water service in the County vary, so please check with the Departments of Public Works for information specific to your site. The water connection fees are based on the size of water meter or meters to be installed for the development. The connection fees vary depending upon the water supplier.

- **PUBLIC SEWER:** The public sewer systems are owned and operated by the York County Department of Public Works. The York County Sanitary Sewer Standards and Specifications Manual, adopted July 1994 and revised January 1996, states the design requirements for systems to be constructed.

The sanitary sewer connection fees are based on the size and number of water meters serving the development. These fees are stated in §18.7-64 of the York County Code. Commercial usages are charged based on water consumption.

Hampton Roads Sanitation District (HRSD) provides for final treatment of the sewage collected and conveyed by York County. HRSD also charges a connection fee that is based on the size and number of water meters serving the development. HRSD bi-monthly charges are based solely on water consumption for commercial usages.

Plans for sewer and water connection typically are part of a Development Plan or Site Plan submittal, and as such must be formally submitted for review and approval to the Division of Development Services. Should you have any questions concerning the design of the public facilities or applicable connection fees, please call the Department of Public Works. (757) 890-3752.

Private Utilities

The State Health Department regulates PRIVATE SYSTEMS (wells and septic systems).

Lower County (Peninsula Office)	416 J. Clyde Morris Blvd. Newport News, VA 23601 Environmental Health (757) 594-7340
Upper County (Williamsburg Office)	4095 Ironbound Road Williamsburg, VA 23188 Environmental Health (757) 603-4277

When public facilities are not available to your development, please call one of the above offices to discuss alternatives.

Transportation

The Virginia Department of Transportation (VDOT) has the responsibility of maintaining all public streets and highways within York County. Because of this responsibility, subdivision and site plans are forwarded to the Williamsburg VDOT Residency Administrator's Office for review and may be forwarded by the Williamsburg Residency to the Hampton Roads District Office (Suffolk) for additional review.

VDOT LAND USE PERMITS

Once development plans and site plans are approved and returned, and prior to the issuance of building permits or construction, you must contact the Residence Administrator's Office for Land Use Permits (LUP) for work planned within the highway right-of-way, including utilities, drainage, road tie-ins, and temporary entrances.

For each permit you must submit:

- The completed permit form
- The approved plan (PDF format)
- Fee
- Surety Bond (as required)

Additional submittal requirements, forms and online submission can be found at:

<http://www.virginiadot.org/business/bu-landUsePermits.asp>

Local Office:

Williamsburg Residency Administrator's Office
4451 Ironbound Road, Williamsburg, VA 23188
(757) 253-5146

BUILDING PERMITS

Building Permit Procedure

A building permit is required for most improvements made to real property, including alterations and repairs to structures.

TIME: Depending on their complexity, 5 to 24 days are required to review plans. When plans are approved and permits issued, construction can begin.

PROCEDURE

STEP 1: Submit an application to the Office of Building Regulation, located at 103 Service Drive. (757) 890-3522.

Note: Document requirements vary depending on the project, see the chart below.

<p>NEW COMMERCIAL AND OTHER USES REQUIRING SITE PLANS</p>	<ol style="list-style-type: none"> 1. Approved Site Plan, and applicable receipts and documentation 2. Approved Land Disturbing Permit 3. Department of Fire & Life Safety approval of site plan and building plans 4. Septic system permit from State Health Department or receipts of payment to HRSD and York County for tap fees 5. Four sets of plans signed and sealed by the engineer or architect responsible for the design. If the building contains a commercial food prep area, a set of building plans must be submitted to the State Health Department. 6. VDOT Land Use Permit
<p>ADDITIONS, ALTERATIONS, ACCESSORY BUILDING, ETC.</p>	<ol style="list-style-type: none"> 1. Two sets of plans 2. Department of Fire & Life Safety approval of site plan and building plans 3. Property plot plan showing location of proposed construction 4. Septic system permit for additions and detached buildings

The plans are reviewed by the Plans Examiner for compliance with the applicable building codes. In addition, receipts and documentation are checked to ensure all other required fees have been paid and permits issued.

STEP 2: Begin Construction.

STEP 3: When work is completed, call Building Regulation for all required inspections.

The 24-hour inspection request line number is (757) 890-3910. Inspections occur as soon as possible, normally on the same working day that the call is placed. The Office of Building Regulation provides you with a list of inspections that must be made during the course of construction.

STEP 4: When all work is completed, and before calling for the Final Building Inspection, call for all other required inspections, as noted below.

Helpful Hint: It is beneficial to inform the related Divisions or State Agencies that you will soon be scheduling the inspection.

- Site/landscaping inspection - (*Inspection by Development Services of York County*)
- Erosion/sediment control and grading/drainage - (*Inspection by Public Works-Stormwater of York County*)
- Fire alarms, suppression, and control systems– (*Inspection by Fire & Life Safety of York County*)
- Environmental considerations - (*Inspection by Public Works-Stormwater of York County*)
- Overall Fire Inspection for life safety aspects of the building code - exits, egress requirements, fire exiting, etc. – (*Inspection by Fire & Life Safety of York County*)
- Highway entrance by VDOT
- Health Department

STEP 5: Call for final Building Inspection. Once approved – Move In!

When all inspections are completed and approved, a CERTIFICATE OF OCCUPANCY is issued. At that time, you may move in!

AGENCY CONTACT INFORMATION

York County Contacts

<u>COUNTY ADMINISTRATION</u> Mailing Address: County of York <i>(Division/Office Name)</i> P.O. Box 532 Yorktown, VA 23690	
<u>OFFICE OF ECONOMIC DEVELOPMENT</u>	Physical Address: 224 Ballard Street Yorktown, VA 23690 (757) 890-3317
<u>PLANNING DIVISION</u>	Physical Address: 224 Ballard Street Yorktown, VA 23690 (757) 890-3404
<u>DEVELOPMENT SERVICES DIVISION</u>	Physical Address: 102 County Drive Yorktown, VA 23692 (757) 890-3531
<u>BOARD OF ZONING/SUBDIVISION APPEALS</u>	Physical Address: 102 County Drive Yorktown, VA 23692 (757) 890-3531
<u>BUILDING REGULATION OFFICE</u>	Physical Address: 103 Service Drive Yorktown, VA 23692 (757) 890-3522
<u>ZONING & SIGN PERMITS</u>	Physical Address: 102 County Drive Yorktown, VA 23692 (757) 890-3523
<u>PUBLIC WORKS</u> Mailing Address: County of York Public Works - Engineering P.O. Box 532 Yorktown, VA 23690	
<u>PUBLIC UTILITIES</u>	Physical Address: 105 Service Drive Yorktown, VA 23692 (757) 890-3751 / 3752
<u>STORMWATER</u>	Physical Address: 105 Service Drive Yorktown, VA 23692 (757) 890-3751 / 3752

Additional Contacts

City of Williamsburg, Engineering Division	401 Lafayette Street Williamsburg, VA 23185 (757) 220-6140 www.williamsburgva.gov/government/department-i-z/public-works-and-utilities/divisions/engineering-division
Dominion Virginia Power	1-888-667-3000 www.dom.com
Hampton Roads Sanitation District (HRSD)	PO Box 5911 Virginia Beach, VA 23471 (757) 460-2261 www.hrsd.com www.hrsd.com/DevServHome.shtml
James City Service Authority (JCSA)	119 Tewning Road Williamsburg, VA 23188 (757) 229-7421 www.jamescitycountyva.gov/jcsa
Newport News Waterworks	700 Town Center Drive Newport News, VA 23606 (757) 926-1000 www.nnva.gov/waterworks
Virginia Department of Transportation (VDOT) (Williamsburg Residency)	4451 Ironbound Road, Williamsburg, VA 23188 (757) 253-5146 http://www.virginiadot.org/business/business/landUsePermits.asp
Virginia Health Department Lower County (Peninsula Office)	416 J. Clyde Morris Blvd. Newport News, VA 23601 Environmental Health (757) 594-7340 www.vdh.virginia.gov/peninsula/environmental/
Virginia Health Department Upper County (Williamsburg Office)	4095 Ironbound Road Williamsburg, VA 23188 Environmental Health (757) 603-4277 www.vdh.virginia.gov/peninsula/environmental/

SCHEDULE OF FEES

2016 Schedule of Fees and Charges

Fees are subject to change, check with staff for most current schedule

PLANNING

Rezoning and Special Use Permit	
Rezoning Planned Development (overall concept)	\$600 + \$10 per acre after five acres (maximum fee \$2,000)
Special Use Permit for: Home Occupation Accessory Apartments	\$400
Special Use Permit (all others)	\$450 + \$10 per acre after five acres (maximum fee \$1,000)
<i>Note: See Chapter 24.1-108 of the Zoning Ordinance for other fees. Fees are non-refundable unless applicant withdraws application within specified time limits.</i>	

DEVELOPMENT SERVICES

Appeals, Variances and Modifications	
Appeal to the Board of Zoning/Subdivision Appeals (BZA)	\$250
Administrative Modifications	\$50

Site Plans	
Review Fee (paid with first submittal of plan)	\$150 + \$3 per 1,000 square feet of <i>gross</i> floor area (maximum fee \$2,500)
Amendment to Approved Site Plan Review Fee (paid with first submittal of plan)	\$100
Single Family Attached Multi-Family Residential (paid with first submittal of plan)	\$150 + \$15 per dwelling unit (maximum fee \$2,500)
Additional Review Fee	\$0.45 per 1,000 square feet of disturbed area
Inspection Fee	\$50 + \$1 per 1,000 square feet of improved area to include area covered by structures, buildings, parking areas, driveways and other impervious surfaces on the site (maximum fee \$1,500)
Street Name Sign	\$250 minimum per sign
Street Lights	Based on cost estimate provided by Dominion Virginia Power

Subdivisions	
Preliminary Plan (paid with first submittal of plan)	\$50 + \$5 per lot
Development Plan (paid with first submittal of plan)	\$50 + \$10 per lot (including parent lot)
Final Plat (paid with first submittal of plat)	\$50 + \$5 per lot (including parent lot)
Property Line Vacation Plat	No charge (must pay plat recordation fee)
Remainder of Review Fee	\$0.45 per 1,000 square feet for 1-70 acres
	\$0.30 per 1,000 square feet for 71-140 acres
	\$0.25 per 1,000 square feet for over 140 acres
Inspection Fee	\$25.00 plus \$5.00 per lot
Street Name Sign	\$250.00 minimum per sign
Street Lights	Based on cost estimate provided by Dominion Virginia Power
Plat Recordation (Payable to Clerk of the Circuit Court)	8-1/2x14 - \$24 for 1-10 sheets -\$38 for 11-30 sheets
	18x24 - \$23 for the first sheet and \$20 for each additional sheet
Deed Recordation	No charge for deeds associated with the conveyance of easements to York County

PUBLIC WORKS – STORMWATER

Erosion & Sediment Control Fees	
Site Plans and Subdivisions	<ul style="list-style-type: none"> \$50.00 for first 2,550 square feet plus \$0.005 per each additional square foot (maximum \$1,000)

Wetlands	
York County Wetlands Board	Application Fee - \$150
VA Marine Resources Commission	Contact VMRC - (757) 247-2200
U.S. Army Corps of Engineers	Contact ACOE - (757) 201-7652

Note: York County Wetlands Board, VMRC and U.S. Army Corps of Engineers fees are non-refundable and are due after the project has been approved.

Chesapeake Bay	
Chesapeake Bay Board	Application Fee - \$250 (exception or appeal)

PUBLIC WORKS – UTILITIES

Sewer Connection Charges			
Water Meter Size	York County Sanitary Connection Initial Connection fee w/ Local Facility Credit*	York County Sanitary Connection Initial Connection fee**	HRSD Connection Fee
5/8"	\$3,200	\$3,700	\$1,895
3/4"	\$4,600	\$5,600	\$4,830
1"	\$8,000	\$9,300	\$8,170
1-1/2"	\$16,500	\$18,500	\$17,260
2"	\$25,000	\$29,700	\$30,510
<p>* Local Facility Credit is given to the developer if they pay for the sewer extension (most cases). ** No Local Facility Credit is given to the developer if the system is connecting to vacuum sewer. There is also an additional \$2,500 Vacuum Service fee per lot for vacuum sewer in developments.</p>			

Water Connection Charges

Water in the County is provided by several suppliers. The purveyor determines the connection charges to their water system. Contact Public Works at (757) 890-3751 to determine the water purveyor serving a particular address.

BUILDING REGULATION PERMIT FEES

Note: In addition to the fees below, a levy equal to two percent (2%) of the total permit fee is required as a State surcharge fee.

Building Permits

Fee Type	Charge	
Plans Examination Fee	\$225	
New Commercial Structures Under Roof	\$0.12 per square feet for first 30,000 square feet \$0.10 per square feet for footage area over 30,000 square feet	
New Commercial Structures Not Under Roof (patios, decks, ramps, loading docks, etc.)	\$0.12 per square feet with a minimum fee of \$75.00	
Alterations and Renovations (based on current value of all service, labor and materials)	Value	Fee
	\$0-\$1,000	\$75.00
	\$1,001-\$5,000	\$95.00
	Greater than \$5,000	\$115.00 plus \$45.00 for each additional \$5,000 or fraction thereof

Electrical Permits

Fee Type	Charge
Commercial Service for 200 AMP	\$127.00
Commercial Service Greater than 200 AMP	\$127.00 + \$15.00 per 50 AMP
Increase Size of Electrical Service	\$75.00 + \$15.00 per 50 AMP over 400 AMP
Additions and Alterations	\$75.00
Temporary Service Fee	\$75.00

Plumbing Permits

Fee Type	Charge	
Commercial Service (including additions)	\$107.00 + \$8.00 for each fixture	
Alterations and Repairs	\$75.00	
Water and Sewer Lines	\$75.00 + \$35.00 if changing from septic to sewer	
Gas (Natural or LP)	\$75.00 + \$8.00 for each additional and future outlet	
Fire Suppression/Sprinkler Systems (based on current value of all service, labor and materials)	Value	Fee
	\$0-\$2,000	\$75.00
	\$2001-\$4,000	\$105.00
	Greater than \$4,000	\$115.00 plus \$15.00 for each additional \$1,000 or fraction thereof
Fire Pumps	\$150.00 per pump	
Standpipe	\$75.00 per riser	
Kitchen System	\$75.00 per hood	

Mechanical Permits

Fee Type	Charge
Base Fee for New Commercial, including additions to existing systems	\$107.00 + \$45.00 per each air handler/system
Alterations and Repairs	\$75.00
Exhaust Fans/Air Distribution Boxes	\$25.00 per unit
Fire Damper	\$20.00 per damper
Refrigeration Units	\$75.00 per unit
Burner Conversion	\$75.00
Pumps (Circulation)	\$35.00 per unit
Fuel Dispensing Pumps	\$50.00 per unit
Fuel Dispensing Pipe	\$40.00 per line
Liquid Storage Tanks (Installation or Removal)	\$75.00 per tank (0-550 Gallon), \$150.00 per tank (over 550 Gallon)
LP Gas Tanks	\$75.00 per tank
Kitchen Hoods	Type I: \$135.00 Type II: \$75.00
Elevators, Dumbwaiters, Moving Stairs	\$175.00 per device

Other Fees

Fee Type	Charge
Certificate of Occupancy	\$75.00 for Change of Building Use \$95.00 for Temporary Commercial

Sign Permits

For the erection and/or relocation of signs, the fee shall be based on the total square footage of all faces of the sign as outlined in the chart below.

0 – 50 square feet	\$91.80
51 – 100 square feet	\$102.00
101 – 300 square feet	\$112.20
Over 300 square feet	\$122.40

For structural alterations, the fee is \$55 plus an additional amount based on the increase in sign area (if any).

There is no fee for sign permits for face changes of existing legal signs.

VDOT LAND USE PERMITS

Prior to any disturbance to a State maintained Right-of-Way or easement, a Land Use Permit (LUP) must be obtained from VDOT.

Information and fees can be found on the following webpage:
<http://www.virginiadot.org/business/bu-landUsePermits.asp>