

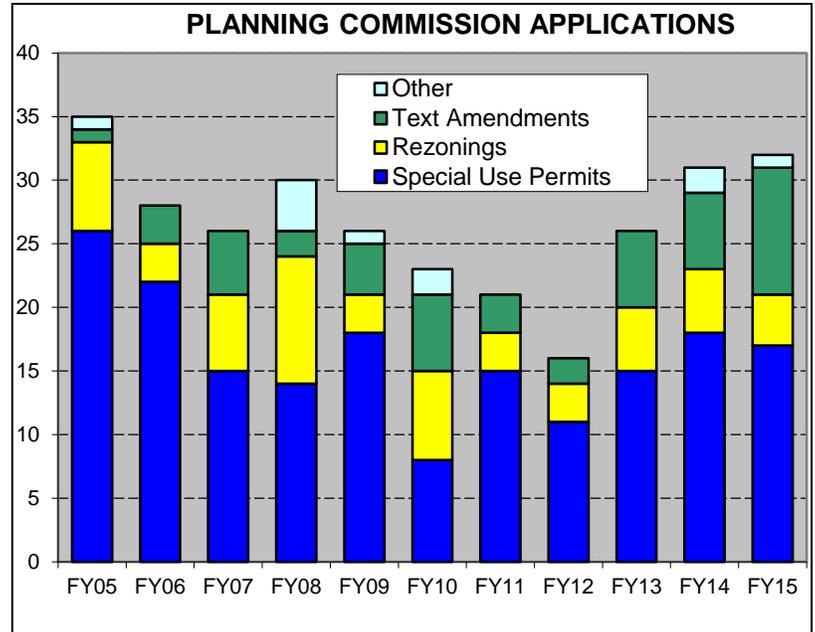
FY 2015 ANNUAL REPORT

YORK COUNTY PLANNING COMMISSION

MESSAGE FROM THE CHAIR

As Chair of the York County Planning Commission for the 2014-15 fiscal year, I am pleased to provide the Commission's Annual Report. The past year was another active one for the Commission as we handled more cases than we have in any year since FY2004-05.

The growing role of home-based businesses in the economy was reflected in our caseload as nine of the seventeen Special Use Permit applications we considered involved home occupations, with uses ranging from home offices to seafood harvesting to the manufacture of alcoholic mead. The home-based meadery is indicative of another national trend – the growing popularity of craft beer, wine, liquor, and cider. In FY2015 York County, already home to the very successful AleWerks microbrewery on Ewell Road, took steps to build on this success and reap the economic and tourism benefits of this fast-growing industry by expanding the opportunities for micro-alcohol production facilities in the County. Specifically, the Zoning Ordinance was amended to allow such facilities as a matter of right not just in industrial districts but also in the General Business and Economic Opportunity districts.



The microbrewery ordinance is just one of several Zoning and Subdivision Ordinance text amendments approved over the past year. Our development ordinances are a “work in progress” as we are constantly working with the staff to find ways to improve the development climate by streamlining processes and eliminating unnecessary or overly burdensome provisions while protecting the citizens' quality of life. Particularly noteworthy are the changes to the County's requirements for accessory apartments, which were recommended by the



Front Row: Melissa Magowan, Todd Mathes; Second Row: Mark Suiter, Glenn Brazelton Back Row: Montee Jons, Tim McCulloch, Rich Myer

Commission and adopted by the Board of Supervisors in September 2014. These Zoning Ordinance amendments, which significantly increased the opportunities for accessory apartments as a matter of right (i.e., with no requirement for a Special Use Permit), were the result of a review of the history of the decisions made on the 33 accessory apartment use permit applications processed over the past fifteen years, which suggested that in many cases the requirement for a Special Use Permit probably was not necessary. Since the adoption of those amendments, there has not been a single use permit application for an accessory apartment.

We look forward to the challenges that await us in the year ahead and are thankful for the opportunity to serve the Board of Supervisors and the citizens of York County.

Melissa S. Magowan, CPC
Chair, 2014-15

Application No. & PC Mtg. Date	Applicant	Description	Board Action & Resolution or Ordinance No.
UP-846-14 7/9/14	Catharine Dress	Holistic energy healthcare services and speech and language pathology as a home occupation with on-premises customer/client contact at 104 Joel Lane	Approved R14-91
UP-847-14 7/9/14	Hayden and Monica Ross-Clunis	Accessory apartment in a detached garage to be built on a 1.9-acre parcel located at 222 Landing Road	Approved R14-92
ZT-153-14 7/9/14 & 8/13/14	York County Board of Supervisors	Amend the Zoning Ordinance Standards for Accessory Apartments by (1) allowing accessory apartments by right in the RC, RR, R33, R20, and R13 districts up to 800 square feet of floor area or 35% of the principal residence floor area, whichever is greater, but in no case exceeding 1,000 square feet; (2) allowing up to 49% of the principal residence floor area by Special Use Permit, but still not more than 1,000 square feet; and (3) limiting the lot coverage of a detached accessory apartment to no more than 75% of the lot coverage of the principal residence.	Approved Ord. No. 14-15
UP-785-10 7/9/14	Greg Garrett Oyster and Seafood Co.	Seafood harvesting as a home occupation with on-premises customer/client contact and up to four non-resident employees on a 6-acre parcel located at 122 Sandbox Lane	Withdrawn
UP-849-14 8/13/14	Riggins Enterprises, LLC	Seafood harvesting as a home occupation with up to three non-resident employees on 2.6 acres located at 1818 Calthrop Neck Road	Approved R14-107
YVA-34-14 8/13/14	Yorktown Main Street, LLC	Authorization to conduct private weddings and receptions for a fee as a business venture on the premises of a bed and breakfast operation located at 702 Main Street and with off-street parking located at 606 Main Street and 204 Smith Street	Approved R14-108(R)
UP-850-14 9/10/14	Russell and Carolyn Brown dba ASAP Towing & Roadside Services LLC	Towing service/automobile storage yard at 135, 137, and 139 Fenton Mill Road	Approved R14-107
PD-39-14 9/10/14	Busch Properties Inc.	Rezone 77 acres at 1500 Penniman Road from EO (Economic Opportunity) to PDR (Planned Development Residential), subject to voluntarily proffered conditions, for the purpose of establishing a residential development with up to 110 townhouses and 112 single-family detached homes	Approved* Ord. No. 14-17(R)
ZM-154-14 9/10/14	Busch Properties, Inc.	Rezone a 32-acre parcel located at 200 Water Country Parkway from EO (Economic Opportunity) to conditional EO subject to voluntarily proffered conditions	Approved Ord. No. 14-18
ZT-156-14 9/10/14	York County Board of Supervisors	Amend the Zoning Ordinance sign provisions by allowing certain temporary political signs to be as large as 40 square feet in area	Approved Ord. No. 14-16
CP-10-14 9/10/14	York County Board of Supervisors	Amend the Comprehensive Plan Low Density Residential designation description to express a policy of using zoning district classifications or performance standards to distinguish areas that are or are not suitable for agricultural uses	Approved Ord. No. 14-19
ZT-155-14 9/10/14	York County Board of Supervisors	Amend various sections of the Zoning Ordinance to incorporate revised requirements and opportunities for agriculture and aquaculture uses	Approved Ord. No. 14-20(R)
UP-851-14 10/8/14	W. R. "Pat" Phillips, Jr.	Auto body repair and painting establishment at 7700 and 7716 George Washington Memorial Highway (Route 17)	Approved R14-128
ZM-160-14 10/8/14	York County Board of Supervisors	Rezone 297 parcels in Dandy from RR (Rural Residential) to R33 (Low Density Single-family Residential)	Denied
ZT-158-14 10/8/14	York County Board of Supervisors	Amend the Zoning Ordinance Floodplain Management Area overlay district provisions to ensure consistency with the Federal Emergency Management Agency (FEMA) requirements necessary to maintain the County's participation in the National Flood Insurance Program and, specifically, to incorporate reference to the updated Flood Insurance Rate Maps	Approved Ord. No. 14-22

Application No. & PC Mtg. Date	Applicant	Description	Board Action & Resolution or Ordinance No.
ST-21-14 10/8/14	York County Board of Supervisors	Amend the Subdivision Ordinance to make the submission of a Preliminary Plan optional for proposed subdivisions involving 50 or fewer lots	Approved Ord. No. 14-24
ZT-157-14 10/8/14	York County Board of Supervisors	Amend the Zoning Ordinance to incorporate various amendments to the Code of Virginia pertaining to group homes and nonconforming structures	Approved Ord. No. 14-21
UP-848-14 11/12/14	BurgerBusters, Inc.	Fast-food restaurant (Taco Bell) on a 1.3-acre parcel located at 823 East Rochambeau Drive	Approved R14-145
UP-852-14 11/12/14	Crystal Witte dba Customized Nutrition Works, LLC	Nutrition counseling as a home occupation with on-premises customer/client contact located at 102 Cedar Point Crescent	Approved R15-2
ZT-159-14 11/12/14	York County Board of Supervisors	Amend the Zoning Ordinance by establishing a definition for the terms <i>Microbrewery, micro-distillery, micro-cidery, and micro-winery</i> ; adding these uses as uses permitted as a matter of right in the EO (Economic Opportunity), GB (General Business), IL (Limited Industrial), and IG (General Industrial) districts; establishing parking requirements for these uses; and establishing a definition for the term <i>Restaurant, Brew-pub</i>	Approved Ord. No. 14-27
UP-853-15 2/11/15	Michael Scarborough dba Scarborough Electrical, Inc.	Home contracting office with non-resident employees on a 1.1-acre parcel located at 106 Lewis Drive	Approved R15-24(R)
UP-855-15 2/11/15	Bella Towing	Towing service/auto storage yard on a 4,000-square foot portion of land, with ingress/egress on Mooretown Road, on two parcels located at 5800 and 5812 Mooretown Road	Withdrawn
UP-856-15 3/11/15	Artisan Meads LLC	Production of mead (an alcoholic beverage made from fermented honey and water) as a home occupation with a non-resident employee at 117 Whites Lane	Approved R15-30
UP-857-15 3/11/15	Penny Cazier	Natural health consultant office with on-premises retail sales and customer/client contact as a home occupation at 108 Bonito Drive	Approved R15-31(R)
UP-859-15 4/8/15	PAR Investments, LLC	Outdoor amusement center (miniature golf course and go-karts) on 3.6 acres located at 5001 and 5021 George Washington Memorial Highway (Route 17)	Approved R15-45
ZM-161-15 5/13/15	MRP Enterprises LLC	Rezone a 0.15-acre portion of an 18.2-acre parcel of land located at 7307 George Washington Memorial Highway (Route 17) from conditional IL (Limited Industrial) to conditional R20 (Medium-density single-family residential)	Approved Ord. No. 15-7
UP-860-15 5/13/15	GGR Construction, Inc.	Home office with a non-resident employee on two parcels located at 616 and 700 Dandy Loop Road	Approved R15-63(R)
UP-861-15 5/13/15	The Digges Company	Indoor firing range on a 1.8-acre portion of an 11.9-acre parcel located at 1558 Penniman Road	Approved R15-64
UP-862-15 5/13/15	The Digges Company	Recycling plant on an 11-acre portion of a 21-acre tract of land located at 1540 and 1558 Penniman Road	Approved R15-65
ZT-162-15 5/13/15	York County Board of Supervisors	Amend the Zoning Ordinance to allow extended display time for temporary signs associated with business properties located on a road undergoing reconstruction	Approved Ord. No. 15-6
UP-863-15 6/10/15	Leigh Ann Wilson	Beauty shop as a home occupation at 111 Sunset Drive	Approved R15-74
UP-864-15 6/10/15	Stephen Casto	Tourist home at 104 Valor Court	Denied**
ZT-163-15 6/10/15	York County Board of Supervisors	Amend the Zoning Ordinance to establish definitions and standards for electronic message center signs and illumination levels	Approved Ord. No. 15-8

Except as noted below, the Board of Supervisors' actions were consistent with the Planning Commission's recommendations.

*Planning Commission recommended denial.

**Planning Commission recommended approval.

Commission Highlights – FY2015

- In FY2015 the Commission held ten regular meetings and one special work session and considered seventeen Special Use Permit applications, three rezoning applications, one Planned Development, one YVA (Yorktown Village Activity) application, eight sets of Zoning Ordinance text amendments, one Subdivision Ordinance text amendment, and one Comprehensive Plan amendment.
 - The Commission conducted a “visioning session” in January 2015 for the purpose of providing input into the Hampton Roads region’s first community-based regional strategic plan, entitled *Envision Hampton Roads*. This plan is being coordinated by the Hampton Roads Planning District Commission (HRPDC), which requested each planning department in the region to conduct a visioning session with its planning commission. The planning commissions were asked to imagine the region as “the best it can be in 2035” and draft a regional vision statement based on its answers to the question: *What does Hampton Roads look like in twenty to thirty years?* The Commission ultimately adopted the following vision statement: *“Hampton Roads is a historically significant, economically diverse region with a world-class multi-modal transportation network facilitating the efficient movement of both people and freight; excellent schools and universities; and abundant public access to the water and other natural and recreational amenities.”* This statement and a series of regional goals were forwarded to the HRPDC staff to help it and the EHR Steering Committee develop a single vision statement for the region based on input from all the localities in Hampton Roads.
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- All of the Planning Commission members who served in FY2015 have successfully completed the Virginia Certified Planning Commissioners’ Program. This nationally recognized program, which is operated by the Virginia Tech Land Use Education Program, provides the legal and technical background needed by citizen-planners and decision makers.
 - Commissioner Brazelton replaced Commissioner Myer as the Planning Commission’s representative on the Regional Issues Committee (RIC). The RIC was established in 1987 to serve as an advisory body to James City County, the City of Williamsburg, and York County on cross-jurisdictional issues. In recent years, it became more of an information-sharing group than an action group, and at its April meeting, the members voted to recommend that it be discontinued. The recommendation was approved by the three governing bodies, and the RIC was discontinued effective June 30, 2015.

YORK COUNTY PLANNING COMMISSION, FY2015		
Name	Term	District
Melissa S. Magowan, CPC (Chair)	July 1, 2011 – June 30, 2015	At Large
Timothy D. McCulloch, CPC (Vice Chair)	July 1, 2012 – June 30, 2016	3
Montgoussaint E. Jons, CPC	Feb. 4, 2014 – June 30, 2017	1
Glenn A. Brazelton, CPC	July 1, 2013 – June 30, 2017	2
Todd H. Mathes, CPC	Oct. 16, 2012 – June 30, 2018	4
Richard M. Myer, Jr., CPC	July 1, 2010 – June 30, 2018	5
Mark B. Suiter, CPC	Oct. 26, 2010 – June 30, 2015	At Large

NOTE: The CPC designation means a commissioner is a Certified Planning Commissioner, having successfully completed the Virginia Certified Planning Commissioners’ Program administered by the Land Use Education Program at Virginia Tech.