

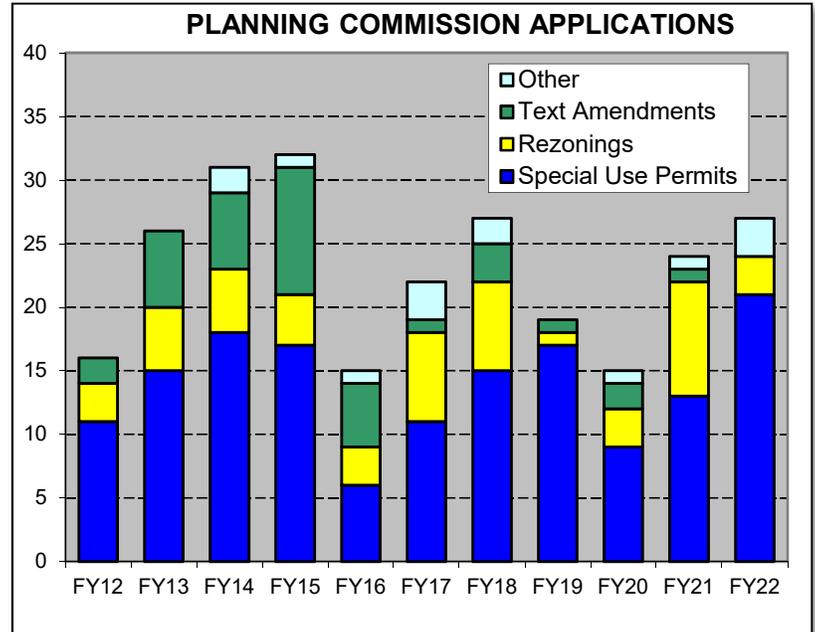
FY 2022 ANNUAL REPORT

YORK COUNTY PLANNING COMMISSION

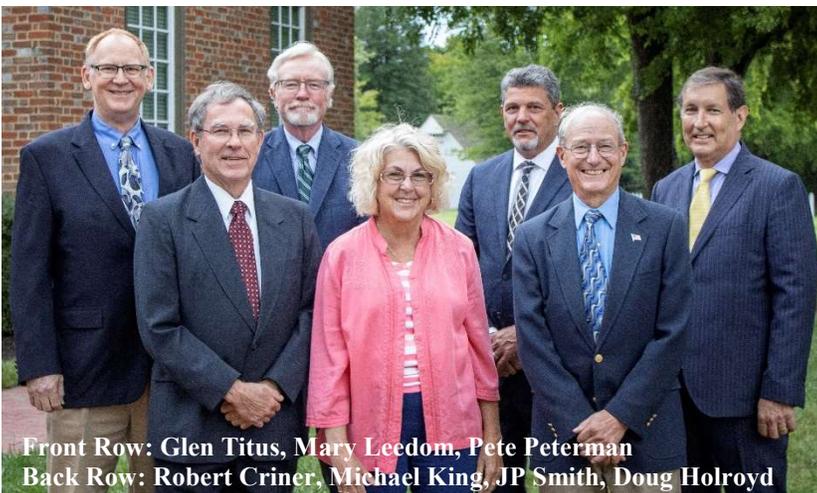
MESSAGE FROM THE CHAIR

In accordance with Section 15.2-2221.5 of the Code of Virginia, I hereby offer the Commission's Annual Report for the 2021-22 Fiscal Year. It was a memorable year for several reasons, not the least of which is that for the first time since FY 2019, all of our meetings were held *in person* rather than virtually as the country slowly emerged from the height of the COVID-19 pandemic.

Last year was also an unusually busy year, with our largest application caseload since FY 2018. Motor vehicle-related uses constituted a large share of the applications we reviewed, which included two car washes, an oil change facility, a bus terminal, and a motorcycle sales establishment. Without question, however, the overriding theme of FY 2022 was short-term rentals (STRs). Almost half of the 27 applications we considered – twelve, to be exact – were for tourist homes or, in one case, for an amendment to the use permit conditions for an existing tourist home. Not only did we have an unprecedented number of tourist home applications, but we also spent considerable time and effort dealing with the issue of short-term rentals in general and how they should be regulated. In July 2021, the Commission conducted a special work session dedicated specifically to this issue. This provided an opportunity for back-and-forth dialogue with a group of citizens that had proposed a series of changes to the zoning rules for STRs and also with the STR owners themselves. Taking all of that input into account, the Commission had follow-up discussions at its August 2021 meeting, and again at its December 2021 meeting, to consider the pros and cons of the various ideas that had been put forth and give staff direction in drafting possible Zoning Ordinance text amendments to recommend for formal consideration by the Commission and the Board of Supervisors.



Next year promises to be another busy one as the Comprehensive Plan Review Steering Committee is expected to wrap up its work in the first half of 2023. The draft Plan will then be referred to the Commission for consideration, which will likely take several months and involve work sessions as well as a public hearing before we forward it to the Board of Supervisors for adoption. As always, we look forward to the challenge, and we are grateful for the opportunity to serve the citizens of York County.



Front Row: Glen Titus, Mary Leedom, Pete Peterman
 Back Row: Robert Criner, Michael King, JP Smith, Doug Holroyd

Glen D. Titus
 Planning Commission Chair
 2021-22

Application No. & PC Mtg. Date	Applicant	Description	Board Action & Resolution or Ordinance No.
UP-968-21 7/14/21	Dirty Quads Motorsports & Graphics LLC	Motorcycle sales establishment without body work and painting in the Village Square at Kiln Creek shopping center located at 5005 Victory Boulevard (Route 171)	Approved R21-102
UP-971-21 9/8/21	Williamsburg Area Transit Authority	Bus terminal/transfer station on an approximately 4.3-acre parcel located at 6166 Old Mooretown Road	Approved R21-127
UP-972-21 10/13/21	William and Marina Boothe	Tourist home in an existing single-family detached dwelling on a 0.5-acre parcel located at 1149 Duncan Drive	Approved R21-143
UP-973-21 10/13/21	Driven Brands, Inc.	Automotive oil change service building on a 0.6-acre parcel located at 4507 George Washington Memorial Highway (Route 17)	Approved R21-144
ZM-191-21 11/10/21	Curt and Pamela Lang (Mills Marina)	Rezone a 0.4-acre parcel located at 1737 Back Creek Road from RR (Rural Residential) to WCI (Water-oriented Commercial/Industrial) subject to voluntarily proffered conditions	Approved Ord. No. 22-1
UP-974-21 12/8/21	Bryan Randall	Tourist home in an existing single-family detached dwelling on a 0.2-acre parcel located at 1445 Penniman Road	Approved R22-25
UP-975-21 12/8/21	Pablo Campero Rojas	Tourist home in an existing single-family detached dwelling on a 0.3-acre parcel located at 306 York Downs Drive	Approved R22-26(R)
UP-976-21 12/8/21	Magnolia Wash and Express Property Holdings, LLC	Car wash facility on a 0.9-acre parcel located at 6524 George Washington Memorial Highway (Route 17)	Approved R22-4
UP-977-21 12/8/21	Ryan Moberley	Amend the conditions of approval for a previously approved Special Use Permit for a tourist home on a 0.2-acre parcel located at 113 Edale Avenue to allow whole house rentals and permit rentals seven (7) days a week.	Approved R22-5(R)
ZM-192-22 1/12/22	York County Board of Supervisors	Rezone two parcels located at 159 and 163 Goodwin Neck Road (Route 173) from LB (Limited Business) to IL (Limited Industrial) for construction of a new York-Poquoson Sheriff's Office	Approved Ord. No. 22-4
UP-979-22 1/12/22	Ernest Vawter	Tourist home in an existing dwelling on a 0.2-acre parcel located at 103 Haymaker Place	Approved R22-28
UP-980-22 1/12/22	Tambora Latin Cuisine	Nightclub within an existing restaurant in the Schroeder Center shopping center located at 1900 George Washington Memorial Highway (Route 17).	Application withdrawn by the applicant*
UP-981-22 1/12/22	CCRC, LLC	Auto rental establishment on a 1.2-acre parcel located at 105 Bypass Road (Route 60)	Approved R22-27
YVA-47-22 1/12/22	Robert J. Andrade	Tourist home in an existing single-family detached dwelling on a 0.2-acre parcel located at 215 Nelson Street in Yorktown	Approved* R22-47
UP-983-22 2/9/22	Tres Pollitos, LLC	Tourist home in an existing single-family detached dwelling on a 6.0-acre parcel located at 533 Allens Mill Road	Application withdrawn by the applicant*
UP-984-22 2/9/22	Locke Supply Company	Wholesale trade establishment with outdoor storage in the Kingsgate Green shopping center located at 118 Waller Mill Road	Approved R22-50
UP-985-22 2/9/22	Angela and Gregory Walters	Tourist home on a 2.3-acre parcel located at 407 Fenton Mill Road (Route 602)	Approved R22-61
UP-986-22 3/9/22	So Lux Event Center, LLC	Commercial reception hall in the Yorkshire Downs Shopping Center located at 3301 Hampton Highway (Route 134)	Approved R22-62
PD-57-22 4/13/22	Commonwealth Green, LLLP	Amend the overall development master plan and proffered conditions for the Commonwealth Green Planned Development located on the east side of the York County-City of Newport News border by removing the required road connection between Keener Way and Route 17 and replacing the proffered extension of public water line and sewer lines to Route 17 with a proffered dedication of a utility easement	Approved Ord. No. 22-11

Application No. & PC Mtg. Date	Applicant	Description	Board Action & Resolution or Ordinance No.
UP-987-22 4/13/22	Karen Richardson	Tourist home in an existing single-family detached dwelling on a 1.8-acre parcel located at 213 Railway Road	Approved R22-105
SE-26-22 5/11/22	SMM Southeast LLC d/b/a Sims Metal Management	Special Exception to authorize a 50% expansion of a nonconforming metal recycling plant on a 2.9-acre parcel located at 2114-A George Washington Memorial Highway (Route 17)	Approved R22-157(R)
YVA-48-22 5/11/22	C2J Properties, LLC	Tourist home in an existing single-family attached dwelling on a 0.03-acre parcel located at 210 Ambler Street in historic Yorktown	Approved R22-121
UP-988-22 5/11/22	Michael and Valerie Marshall	Tourist home in an existing single-family detached dwelling on a 1.3-acre parcel located at 714 Baptist Road	Approved R22-106
UP-989-22 6/8/22	SHJ Construction Group	Car wash facility (Tidal Wave Auto Spa) on a 1.2-acre portion of a 2.1-acre parcel located at 5441 George Washington Memorial Highway (Route 17)	Application withdrawn by the applicant*
UP-990-22 6/8/22	Barbara A. Toward	Dog grooming facility as a home occupation with on-site customer/client contact on a 0.6-acre parcel located at 600 Peniman Road	Approved R22-118(R)
UP-991-22 6/8/22	Merit Anglin	Tourist home on a 6.3-acre parcel located at 321 Oaktree Road	Approved R22-119
UP-994-22 6/8/22	Riverside Heating and Air Conditioning	Contractor's shop with outdoor/exposed storage on a 2.2-acre parcel located at 8529 George Washington Memorial Highway (Route 17)	Approved R22-120

*The Planning Commission recommended denial.

[Application Highlights](#)

The Planning Commission recommended approval of an application to rezone 12 acres in the York County Operations Center on Goodwin Neck Road for the County's new 51,550-square foot Law Enforcement Center, which is now under construction. Although not required from a legal standpoint, the rezoning had the benefit of establishing uniform zoning for the County Operations Center while demonstrating that the County holds its own construction projects to the same standards as private development.



One of the more unusual cases from the past year involved a proposal by Sims Metal to expand its metal recycling plant on Route 17 in Tabb by installing stacked shipping containers between the facility and the Tabb Lakes residential subdivision to the east. The purpose of this application, which was approved by the Board of Supervisors with a recommendation of approval from the Commission, was to reduce noise impacts of the recycling operation on adjacent homes. No expansion of the recycling operation was permitted, so it was actually an expansion to *reduce* the intensity of use.

Planning Commission Highlights

- In FY 2022 the Planning Commission held twelve regular meetings and one work session. The Commission considered twenty-one Special Use Permit applications, two rezoning applications, one Planned Development application, two Yorktown Village Activity applications, and one Special Exception. In all but one case, the Board of Supervisors followed the Planning Commission’s recommendation. Three applications were withdrawn by the applicants after receiving a recommendation of denial from the Commission and thus were not considered by the Board.
- Commissioner Michael King continued his service as chairman of the ad hoc Comprehensive Plan Review Steering Committee – also known as the York 2040 Committee – which held seven meetings in FY 2022.
- At its January 12, 2022, meeting, the Commission honored former Commissioner Bruce Sturk, who served as an at-large member from June 2017 through July 2021. He was presented with a plaque in recognition of his service.
- The Commission welcomed two new members: Doug Holroyd, representing District 1, and JP Smith, who serves as an at-large member. In the spring of 2022, both successfully completed the Certified Planning Commissioners’ Program offered by the Center for Urban and Regional Analysis at Virginia Commonwealth University. This intensive training program, which has received both state and national recognition and awards, provides the legal and technical background needed by citizen planners and decision makers. It is designed to provide a basic foundation of planning law and history and to provide the technical expertise needed by planning commissioners to maximize their competency and ability to render legally defensible decisions and recommendations.



YORK COUNTY PLANNING COMMISSION, FY2022		
Name	Term	District
Glen D. Titus (Chair)	July 1, 2017 – June 30, 2025	2
Robert T. Criner (Vice Chair)	July 1, 2018 – June 30, 2022	5
Douglas Holroyd	July 20, 2021 – June 30, 2025	1
Mary Leedom	July 1, 2020 – June 30, 2024	3
Michael S. King	July 1, 2018 – June 30, 2022	4
Robert W. “Pete” Peterman	July 1, 2015 – June 30, 2023	At Large
Joseph P. “JP” Smith	August 17, 2021 – June 30, 2023	At Large
Bruce R. Sturk	June 20, 2017 – July 6, 2022	At Large