

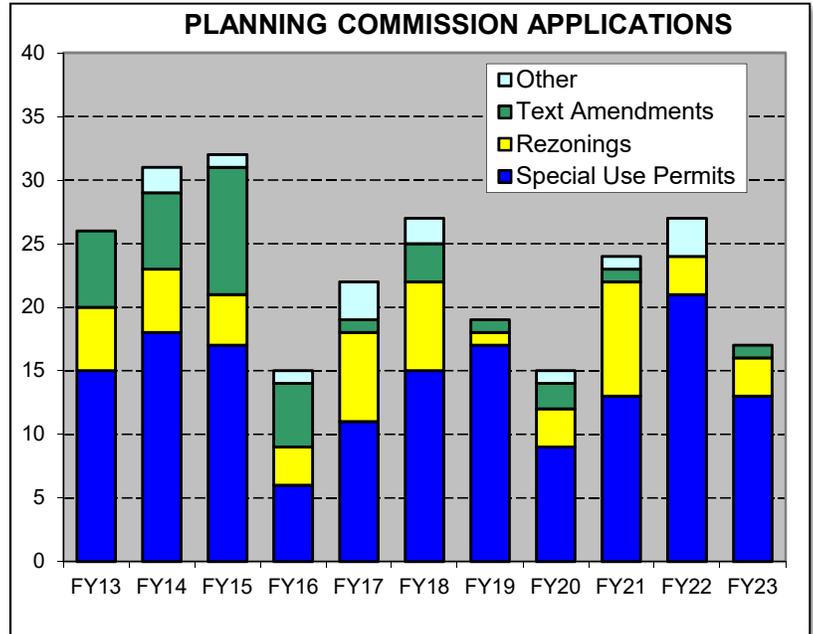
# FY 2023 ANNUAL REPORT

## YORK COUNTY PLANNING COMMISSION

### MESSAGE FROM THE CHAIR

Section 15.2-2221.5 of the Code of Virginia requires Planning Commissions to make “an annual report to the governing body concerning the operation of the commission and the status of planning within its jurisdiction.” As Commission Chair for the 2022-23 fiscal year, I am happy to present the Commission’s Annual Report for FY 2023.

Our caseload was fairly light compared to last year. Also unlike last year, when almost half of the applications we considered – twelve, to be exact – were for tourist homes, only four of the seventeen applications we considered in FY23 were for tourist homes. Of these four applications, one was approved by the Board of Supervisors, one denied, and one withdrawn after receiving a recommendation of denial from the Commission; the fourth has yet to be acted on by the Board. The Commission continued its consideration of additional regulations pertaining to short-term rentals (STRs), voting at its December 2022 meeting to forward a series of proposed Zoning Ordinance text amendments to the Board of Supervisors. After discussion, the Board decided to table the issue until the 2024 calendar year.



In May 2023 we began our review of the draft updated Comprehensive Plan, *Charting the Course to 2040*. This document, prepared by an ad hoc steering committee of citizens chaired by Commissioner Michael King, is the long-range plan for the physical development of the County. Developed over the course of several years with significant citizen input, the “Comp” Plan represents the County’s vision for its future, and its importance cannot be overstated. The Commission held a public hearing on the Plan at its June 14 meeting, after which we conducted a work session on June 22 to discuss the Plan and all citizen comments in detail. At that work session, we decided to conduct a second public hearing, with extended time limits for speakers, to make sure that everyone had a fair opportunity to express their views.



With the adoption of the updated Comprehensive Plan by the Board of Supervisors in the next fiscal year, the hard work of implementing the Plan will begin. This will likely include changes to the Zoning Ordinance and Map. As always, the Commission looks forward to the challenge.

*Mary Leedom*  
 Planning Commission Chair  
 2022-23

<b>Application No. &amp; PC Mtg. Date</b>	<b>Applicant</b>	<b>Description</b>	<b>Board Action &amp; Resolution or Ordinance No.</b>
UP-997-22 7/13/22	Emani Properties Inc.	Tourist home in an existing single-family detached dwelling on a 0.3-acre parcel located at 104 Bethune Drive	Application withdrawn**
UP-998-22 9/14/22	Wayne Harbin	Tourist home on a 0.3-acre parcel located at 106 Shirley Road	Denied*
UP-999-22 9/14/22	Ashley Anderson	Tourist home on a 0.2-acre parcel located at 141 West Semple Road	Approved R23-5
ZM-193-22 9/14/22	Celia and Timothy Whitlatch	Rezone two parcels with a total of 0.4 acre of land at 2200 and 2200A Seaford Road from RR (Rural Residential) to NB (Neighborhood Business).	Application withdrawn**
UP-982-22 11/9/22	Jeanette B. Brady, Trustee	Special Use Permit to authorize the following on a 4.4-acre parcel at 525 East Rochambeau Drive: 1) expansion of a Recreational Vehicle Storage Facility, 2) establishment of service use for an Auto/Light Truck Sales facility, and 3) establishment of Heavy Truck and Equipment Sales, Rental, and Service.	Approved R22-169
UP-1000-22 11/9/22	Scott Shearer d/b/a Shear Style LLC	Hair salon as a home occupation with on-site customer/client contact on a 0.7-acre parcel located at 208 Vine Drive	Approved R22-170
ZT-194-22 12/14/22	York County Planning Commission	Consider amendments to Section 24.1-409 of the York County Zoning Ordinance, Standards for Short-Term Rentals (Boarding Houses, Tourist Home and Bed and Breakfast Establishments). The proposed amendments would require the owners of short-term rentals (STRs) to maintain guest logs; authorize the Board of Supervisors to limit the number of rental nights per year when approving an STR; clarify that tourist home owners must reside in the home or in an adjacent premises while rentals are taking place but authorizing the Board, in approving a tourist home application, to waive this requirement when certain requirements are met and the owner designates a responsible party to promptly resolve problems that arise while rentals are taking place; revise the criteria for evaluating proposed STRs to include proposed provisions for monitoring the operation of the STR as well as the number, percentage, and/or density of legal STRs in the same subdivision or general area, their proximity to the proposed STR, and the cumulative impact of STRs on the surrounding area; require exterior cooking appliances used by guests to have a fuel source of either propane or natural gas, and stipulate that STR approvals run with the property owner and not with the land.	Deferred until 2024
ZM-195-23 1/11/23	Curt and Pamela Lang dba Mills Marine	Amend proffered conditions of approval applicable to a 0.4-acre parcel located at 1737 Back Creek Road (Route 718), that was conditionally rezoned from RR (Rural Residential) to WCI (Water-oriented Commercial/Industrial) in January 2022. The applicants requested to amend the proffers by removing "boat service and repair" from the list of uses prohibited on the property and adding a condition stating that any servicing or repair work would be conducted indoors.	Approved Ord. No. 23-4
UP-1003-23 3/8/23	Jacob Winn	Firearms sales and gunsmithing business as a home occupation with on-site customer/client contact at 111 Rich Road (Route 680).	Denied*
UP-1005-23 4/12/23	Cliff's Automotive LLC	Auto/light truck sales, rental, and service – specifically golf cart sales – on a 1.9-acre parcel located at 8427 George Washington Memorial Highway (Route 17).	Approved R23-75

Application No. & PC Mtg. Date	Applicant	Description	Board Action & Resolution or Ordinance No.
UP-1006-23 4/12/23	Hans Hohlrieder	Auto/light truck sales, rental, and service facility without body work or painting on a 4.1-acre parcel located at 100 Ashby Park Drive (Route 1037).	Approved R23-76
ZM-196-23 5/10/23	Carson Group, LLC	Rezone a 1.4-acre parcel located at 111 Faulkner Road (Route 1231) from R20 (Medium density single-family residential) to GB (General Business) subject to a voluntarily proffered condition of approval that the use of the property will be for recreational vehicle sales and display without body work or painting.	Approved Ord. No. 23-10
UP-1004-23 5/10/23		Recreation vehicle sales and display use without body work and painting on a 6.5-acre site located at 6903 and 6909 George Washington Memorial Highway (Route 17) and 111 Faulkner Road.	Approved R23-85(R)
UP-1009-23 5/10/23	Donald & Theresa Newsom	Tourist home on a 0.3-acre parcel located at 1203 Wilkins Drive (Route 720)	Action pending
UP-1011-23 5/10/23	KSMA WASH VA, LLC	Car wash on a 1.3-acre parcel located at 6440 George Washington Memorial Highway (Route 17)	Approved R23-87
UP-1012-23 5/10/23	Richard Chisman	Four-bedroom boarding house on a 0.7-acre parcel located at 120 Lewis Drive (Route 628)	Withdrawn**
UP-1010-23 6/14/23	Erik D. Olson	Rental of a room for non-transient use as a home occupation on a 1.0-acre parcel located at 1100 Seaford Road (Route 622).	Withdrawn**

\*The Planning Commission recommended approval.

\*\*Application withdrawn by the applicant following a recommendation of denial by the Planning Commission

## [Application Highlights](#)

Eight of the seventeen cases considered by the Planning Commission in FY2023 involved relatively small-scale quasi-commercial uses in residential neighborhoods – four short-term rentals, two long-term rentals, and two home occupations. Most of the other nine applications were related in some way to motor vehicles. In April 2023, the Commission recommended approval of a Special Use Permit for new Auto Haus car dealership on Mooretown Road at its intersection with Ashby Park Drive, which was approved by the Board of Supervisors in May. Similar applications that were approved in FY23 include an expansion of the Dodd RV recreational vehicle dealership at the intersection of Route 17 and Faulkner Road, expansion of an RV storage facility – including auto and light truck servicing as well as truck sales, rental, and service – on East Rochambeau Drive, construction of a new tunnel car wash on Route 17 to replace an existing car wash/oil change facility, authorization of accessory golf cart sales at Cliff’s Automotive on Route 17– and authorization of boat servicing and repair in a new structure to be built on Back Creek Road in connection with Mills Marina.



Rendering of the new Auto Haus to be built on Mooretown Road

## Planning Commission Highlights

- In FY 2023 the Planning Commission held nine regular meetings and one work session. The Commission considered thirteen Special Use Permit applications, three rezoning applications, and one set of Zoning Ordinance text amendments. In all but one case, the Board of Supervisors followed the Planning Commission’s recommendation. Four applications were never considered by the Board because they were withdrawn by the applicants after receiving recommendations of denial from the Commission.
- 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 2023 (and a total of 34 meetings plus six public input sessions between 2018 and 2023), wrapping up its work on April 5, 2023.
- At its June 14, 2023, meeting, the Commission honored Commissioner Pete Peterman, who served two full terms as an at-large member from July 2015 through June 2023. He was presented with a plaque in recognition of his service.



- In August 2022, Commission Chair Mary Leedom successfully completed the Certified Planning Commissioners’ Program offered by the Center for Urban and Regional Analysis at Virginia Commonwealth University. This intensive training program 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.

<b>YORK COUNTY PLANNING COMMISSION, FY2023</b>		
<b>Name</b>	<b>Term</b>	<b>District</b>
Mary Leedom (Chair)	July 1, 2020 – June 30, 2024	3
Douglas Holroyd (Vice Chair)	July 20, 2021 – June 30, 2025	1
Glen D. Titus	July 1, 2017 – June 30, 2025	2
Michael S. King	July 1, 2018 – June 30, 2026	4
Robert T. Criner	July 1, 2018 – June 30, 2026	5
Robert W. “Pete” Peterman	July 1, 2015 – June 30, 2023	At Large
Joseph P. “JP” Smith	August 17, 2021 – June 30, 2023	At Large