

**AGENDA**  
**YORK COUNTY PLANNING COMMISSION**

Regular Meeting  
York Hall - 301 Main Street  
September 10, 2014  
7:00 PM

1. Call to Order
  2. Roll Call
  3. Pledge of Allegiance
  4. Approve Minutes – August 13, 2014
  5. Citizen Comments
  6. Public Hearings
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- a) **Application No. UP-850-14, Russell A. and Carolyn M. Brown, dba ASAP Towing & Roadside Services LLC:** Request for a Special Use Permit, pursuant to Section 24.1-306 of the York County Zoning Ordinance (Category 12, No. 18), to authorize the establishment of a towing service/automobile storage yard on a 0.77-acre site located on three parcels at 135, 137, and 139 Fenton Mill Road (Rt. 602) and further identified as Assessor's Parcel Nos. 5A-11B, 5A-11D, and 5A-11C. The parcels are zoned IL (Limited Industrial) and are designated Limited Industrial in the Comprehensive Plan.
  
  - b) **Application No. PD-39-14, Busch Properties Inc.:** Request to amend the York County Zoning Map by reclassifying approximately 77 acres of land northeast of the intersection of Penniman Rd. (Rt. 641) and Winchester Rd. (Rt. F-138) from Economic Opportunity (EO) to Planned Development Residential (PDR), subject to voluntarily proffered conditions, for the purpose of establishing a residential development with a maximum of 110 townhouses and 112 single-family detached homes (gross density of approximately 2.88 units/acre). The property, located at 1500 Penniman Rd. and further identified as Assessor's Parcel No. 11-16-2, is designated in the Comprehensive Plan for Economic Opportunity with a Mixed Use overlay. The Economic Opportunity designation is intended to guide a mix of office, light industrial, commercial, and tourist-related uses to certain portions of the County that have or are planned to have the access and infrastructure necessary to support both capital- and labor-intensive uses. The Mixed-Use overlay designation is intended to provide opportunities for a mix of commercial and residential uses, and different types of residential uses at an unspecified density, within a single, relatively compact development under a unified, coherent master plan.
  
  - c) **Application No. ZM-154-14, Busch Properties, Inc:** Request to amend the York County Zoning Map by reclassifying an approximately 32-acre parcel of land located at 200 Water Country Pkwy (Rt. 640) from EO (Economic Opportunity) to conditional EO subject to voluntarily proffered conditions. The EO district is intended to guide a mix of commercial, tourist-related, and limited industrial uses to certain portions of the County identified in the comprehensive plan that have or are projected to have the access and infrastructure necessary to support capital and employment intensive uses. Development in these locations is expected to be in keeping with that of surrounding development and sensitive to the natural environment. The applicant has proffered 1) to exclude certain uses that would otherwise be permitted in the EO district, and 2) to provide a 50-foot right-of-way for an access road from the existing traffic signal at the intersection of Rt. 199 and Marquis Pkwy, the intent being to provide an opportunity for improved access to the development proposed in Application No. PD-39-14. The property, further identified as Assessor's Parcel No. 11-16-4, is located on the north side of Water Country Pkwy between Marquis Center Pkwy (Rt. 199) and Penniman Rd. (Rt. 641) and is designated in the Comprehensive Plan for Economic Opportunity, with a Mixed Use overlay.
  
  - d) **Application No. ZT-156-14, York County Board of Supervisors:** Consider amendments to the York County Zoning Ordinance, Chapter 24.1, York County Code, to amend Article VII, Signs, to modify the requirements pertaining to political signs to ensure consistency with the requirements of Section 15.2-109 of the Code of Virginia and, specifically, to allow certain temporary political signs to be as large as 40 square feet in area.

- e) **Application Nos. CP-10-14 and ZT-155-14, York County Board of Supervisors:** Consider amendments to the York County Comprehensive Plan, Charting the Course to 2035, and the York County Zoning Ordinance (Chapter 24.1) as follows:

### **COMPREHENSIVE PLAN AMENDMENTS**

Amend the Low Density Single-family Residential designation description to clearly express a policy of using either zoning district classifications or performance standards such as minimum lot sizes or minimum setbacks to distinguish areas that are or are not suitable for agricultural uses such as crop and livestock farming.

### **ZONING, CHAPTER 24.1, AMENDMENTS**

- 104, Definitions – revise definitions for Agriculture, Aquaculture, Home Occupation, and Workboat; delete definition of Animal.
- 271, Residential accessory uses – provide allowances for accessory uses in conjunction with nonconforming residences in nonresidential districts; add specific language allowing accessory on- or off-premises sales of produce from home vegetable gardens, chicken-keeping, beekeeping, etc.; add opportunity for accessory livestock-keeping in addition to accessory horsekeeping.
- 283(e), Docking workboats and off-loading seafood in RR and RC Districts – indicate that the provisions apply to harvesting from open waters using traditional methods and do not apply to aquaculture.
- 301 – delete reference to Home Occupations; add references to agriculture and aquaculture.
- 306, Table of land uses – delete references to various home occupations to eliminate duplication with listings in Article II; delete add Aquaculture as a principal permitted use in the RR District; delete listings for Orchard, Vineyard and Forestry in all districts other than RC, RR, IL and IG; delete Home Occupations listings to eliminate duplication with Article II.
- 414, Standards for horsekeeping – modify usable acreage standards to better describe and define areas to be excluded, including areas less than 2 feet above mean sea level and a 25-foot buffer on the landward side of the 2-foot contour; add opportunity for accessory livestock-keeping by Special Use Permit.
- 414.1, Standards for backyard chicken-keeping – clarify that the provisions apply to RC and RR properties having less than 2 usable acres; clarify that incidental on- or off-premises sale of eggs is permitted;
- 414.2 (new section) Standards for Agricultural Uses Involving Livestock – add requirements for: minimum parcel size (2 usable acres); minimum setbacks for animal pens and confinement areas (ranging from 25 to 100 feet) or greater in the case of swine or more than 16 chickens; setbacks for pasture fences when abutting a parcel less than 2 acres; and, required compliance with Best Management Practices;
- 414.3 (new section) Standards for Commercial Aquaculture and Associated Docking of Workboats and Off-Loading Seafood – add requirements for: limiting the on-land and on-pier activity to harvests generated from shellfish grounds leased to the occupant of the property; minimum parcel area (2 usable acres) and dimensions (100 feet at shoreline); minimum setbacks ranging from 25 to 100 feet; limits on outdoor storage; preventing excessive noise, odor or light glare; prohibiting major boat repairs; requiring direct access from a public road; prohibiting use of heavy trucks; limiting hours of operation.

7. Old Business
8. New Business
9. Staff Reports/Recent Actions by the Board of Supervisors
10. Committee Reports
11. Commission Reports and Requests
12. Adjourn