

# COUNTY OF YORK

## MEMORANDUM

**DATE:** February 2, 2026 (BOS Mtg. 2/17/26)

**TO:** York County Board of Supervisors

**FROM:** Mark L. Bellamy Jr., County Administrator 

**SUBJECT:** Application Nos. CP-11-26 & ZM-218-26, York County Board of Supervisors

### **BACKGROUND**

On December 19, 2023, the Board of Supervisors approved a resolution to authorize the County Administrator to enter into an agreement with the City of Poquoson to adjust and relocate the common boundary line between the two jurisdictions (attached). This was done to eliminate uncertainty and confusion regarding the physical location of the jurisdictional boundary. Following the adoption of the resolution, new land was added to the County. The first step after adding the properties to the County is to amend the County's Comprehensive Plan, *Charting the Course to 2040*, by giving a future land use designation to all parcels.

According to Section 24.1-106(c), "In the event any land area is annexed or adjusted into the jurisdictional boundaries of York County, such land shall automatically be classified RC-Resource Conservation until such time as that classification may be changed through a specific rezoning action approved by the Board of Supervisors in accordance with all applicable procedures." Accordingly, the County proposes to amend the Zoning Map by reclassifying these properties to align their zoning with neighboring parcels.

This application encompasses 27 parcels of land with 18 property owners, all of whom have been notified in accordance with Section 15.2-2204 of the *Code of Virginia*. Additionally, due to the land's proximity to adjoining localities, notices have also been sent to the Cities of Poquoson and Hampton.

### **CONSIDERATIONS/CONCLUSIONS**

The Board of Supervisors adopted *Charting the Course to 2040: The County of York Comprehensive Plan* on November 21, 2023. The County's Comprehensive Plan does not include this newly acquired land. The Land Use 2040 (p. 248) and Land Use 2040 Tabb Sub-Area (p. 277) maps designate a future land use for the new tracts of land in York County. The proposed amendment to the Comprehensive Plan would amend both maps to include the newly acquired land and assign it a future land use designation. Furthermore, a new paragraph outlining the reasoning for the amendment has been proposed for the Tabb East section.

Prior to the execution of the boundary line adjustment agreement in December 2023 the majority of affected parcels extended across the boundary between York County and the

City of Poquoson. The remaining affected parcels were formerly located entirely within Poquoson and are now fully within York County. As a result, and pursuant to Section 24.1-106(c), which requires newly incorporated land to be automatically classified as Resource Conservation (RC), most of the affected parcels are currently split-zoned. The proposed rezonings would remove the existing split-zone classifications for all of these parcels.

Twenty-seven parcels (in part or whole) and a combined acreage of 27.17 are proposed to be rezoned.

Parcels previously divided by the jurisdictional boundary between York County and the City of Poquoson will be assigned a Comprehensive Plan land use designation matching the portion of the parcel already located within the County. Parcels entirely outside of the County will be assigned a Comprehensive Plan land use designation matching the surrounding parcels. The table below outlines the proposed changes:

No.	Property Address	Property Owner	Acres to Be Rezoned	Total Acres	From	To	Comprehensive Plan Designation
1	318 East Yorktown Rd	Michael Todd Engelmeyer	0.21	1.36	RR, RC	RR	Low-Density Residential
2	402 East Yorktown Rd	Mary K Jolly & Caleb T Smith	0.56	1.14	RR, RC	RR	Low-Density Residential
3	322 East Yorktown Rd	Eddie J & Tiffany Drummond IV	0.68	1.13	RR, RC	RR	Low-Density Residential
4	100 Criner Ln	Robert T & Agnes L Criner	1.64	5.07	RR, RC	RR	Medium-Density Residential
5	105 Elliot Rd	Lillian Hudgins Est	3.44	4.83	R20, RC	R20	Medium-Density Residential
6	113 Elliot Rd	Charles Bowman Etals	0.34	0.35	R20, RC	R20	Medium-Density Residential
7	201 Elliott Rd	Barbara Whiting-Wright Etals	3.06	4.25	R20, RC	R20	Medium-Density Residential
8	211 Elliot Rd	Barbara Whiting-Wright Etals	2.78	3.12	R20, RC	R20	Medium-Density Residential
9	223 Elliot Rd	Steven G & Marie N Hollingsworth	0.59	1.33	R20, RC	R20	Medium-Density Residential
10	231 Elliot Rd	Lorenzo & Tracey Marsala	0.44	1.04	R20, RC	R20	Medium-Density Residential
11	241 Elliot Rd	Jody C & Thomas R Jamerson	0.87	2.06	R20, RC	R20	Medium-Density Residential
12	1320 Carys Chapel Rd	Robert T & Agnes L Criner	1.9	6.73	R20, RC	R20	Medium-Density Residential
13	200 Carys Chapel Rd	Shirley Katherine Banks	6.1	6.53	R20, RC	R20	Medium-Density Residential
14	207 Carys Chapel Rd	Shirley Katherine Banks	0.14	4.31	R20, RC	R20	Medium-Density Residential
15	288 Carys Chapel Rd	Shirley Banks	0.11	0.55	R20, RC	R20	Medium-Density Residential
16	400-A Carys Chapel Rd	Bennie Banks	0.1	0.54	R20, RC	R20	Medium-Density Residential
17	402 Carys Chapel Rd	Ellen & Keith B Williams	0.07	0.97	R20, RC	R20	Medium-Density Residential
18	404 Carys Chapel Rd	James Willie Thomas Estate	0.44	1.19	R20, RC	R20	Medium-Density Residential
19	410 Carys Chapel Rd	Nelson Financial Inc	0.06	1.43	R20, RC	R20	Medium-Density Residential
20	414 Carys Chapel Rd	Melvin A & Valonia C Moore	0.04	0.53	R20, RC	R20	Medium-Density Residential
21	508 Carys Chapel Rd	East Coast Contracting LLC	0.16	2.57	R20, RC	R20	Medium-Density Residential
22	608 Carys Chapel Rd	Shields Washington Est	0.14	5.22	R20, RC	R20	Medium-Density Residential
23	276 Carys Chapel Rd	Shirley Banks	0.23	0.23	RC	R20	Medium-Density Residential
24	278 Carys Chapel Rd	Shirley Banks	1.2	1.2	RC	R20	Medium-Density Residential
25	282 Carys Chapel Rd	Shirley Banks	0.62	0.62	RC	R20	Medium-Density Residential
26	284 Carys Chapel Rd	Shirley Banks	0.72	0.72	RC	R20	Medium-Density Residential
27	286 Carys Chapel Rd	Shirley Banks	0.53	0.53	RC	R20	Medium-Density Residential
<b>Totals</b>			<b>27.17</b>	<b>59.55</b>			

Four of the 27 parcels are currently split zoned as Rural Residential (RR) and RC and are proposed to be rezoned to RR. Three of those four parcels are proposed to be designated Low-Density Residential in the Comprehensive Plan and the fourth is proposed to be designated Medium-Density Residential. The property at 100 Criner Lane is the only parcel that is not proposed to be rezoned in conformance with the Comprehensive Plan. At the

property owners’ request, the parcel is proposed to be rezoned from RR and RC to RR. The table below outlines these changes:

No.	Property Address	Property Owner	Acres to Be Rezoned	Total Acres	From	To	Comprehensive Plan Designation
1	318 East Yorktown Rd	Michael Todd Engelmeyer	0.21	1.36	RR, RC	RR	Low-Density Residential
2	402 East Yorktown Rd	Mary K Jolly & Caleb T Smith	0.56	1.14	RR, RC	RR	Low-Density Residential
3	322 East Yorktown Rd	Eddie J & Tiffany Drummond IV	0.68	1.13	RR, RC	RR	Low-Density Residential
4	100 Criner Ln	Robert T & Agnes L Criner	1.64	5.07	RR, RC	RR	Medium-Density Residential

Eighteen parcels are split-zoned R20 and RC. They are all proposed to be rezoned to R20 and designated Medium-Density in the Comprehensive Plan. The table below outlines these changes:

No.	Property Address	Property Owner	Acres to Be Rezoned	Total Acres	From	To	Comprehensive Plan Designation
5	105 Elliot Rd	Lillian Hudgins Est	3.44	4.83	R20, RC	R20	Medium-Density Residential
6	113 Elliot Rd	Charles Bowman Etals	0.34	0.35	R20, RC	R20	Medium-Density Residential
7	201 Elliott Rd	Barbara Whiting-Wright Etals	3.06	4.25	R20, RC	R20	Medium-Density Residential
8	211 Elliot Rd	Barbara Whiting-Wright Etals	2.78	3.12	R20, RC	R20	Medium-Density Residential
9	223 Elliot Rd	Steven G & Marie N Hollingsworth	0.59	1.33	R20, RC	R20	Medium-Density Residential
10	231 Elliot Rd	Lorenzo & Tracey Marsala	0.44	1.04	R20, RC	R20	Medium-Density Residential
11	241 Elliot Rd	Jody C & Thomas R Jamerson	0.87	2.06	R20, RC	R20	Medium-Density Residential
12	1320 Carys Chapel Rd	Robert T & Agnes L Criner	1.9	6.73	R20, RC	R20	Medium-Density Residential
13	200 Carys Chapel Rd	Shirley Katherine Banks	6.1	6.53	R20, RC	R20	Medium-Density Residential
14	207 Carys Chapel Rd	Shirley Katherine Banks	0.14	4.31	R20, RC	R20	Medium-Density Residential
15	288 Carys Chapel Rd	Shirley Banks	0.11	0.55	R20, RC	R20	Medium-Density Residential
16	400-A Carys Chapel Rd	Bennie Banks	0.1	0.54	R20, RC	R20	Medium-Density Residential
17	402 Carys Chapel Rd	Ellen & Keith B Williams	0.07	0.97	R20, RC	R20	Medium-Density Residential
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19	410 Carys Chapel Rd	Nelson Financial Inc	0.06	1.43	R20, RC	R20	Medium-Density Residential
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22	608 Carys Chapel Rd	Shields Washington Est	0.14	5.22	R20, RC	R20	Medium-Density Residential

The remaining five parcels are zoned RC, as they were previously outside the County’s jurisdictional boundaries. All five parcels, as outlined in the table below, are proposed to be rezoned to R20 and designated Medium-Density Residential in the Comprehensive Plan, in conformity with the surrounding parcels.

No.	Property Address	Property Owner	Acres to Be Rezoned	Total Acres	From	To	Comprehensive Plan Designation
23	276 Carys Chapel Rd	Shirley Banks	0.23	0.23	RC	R20	Medium-Density Residential
24	278 Carys Chapel Rd	Shirley Banks	1.2	1.2	RC	R20	Medium-Density Residential
25	282 Carys Chapel Rd	Shirley Banks	0.62	0.62	RC	R20	Medium-Density Residential
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27	286 Carys Chapel Rd	Shirley Banks	0.53	0.53	RC	R20	Medium-Density Residential

**PLANNING COMMISSION RECOMMENDATION**

The Planning Commission considered this application at its January 14, 2026 meeting and, subsequent to a public hearing at which no one spoke, voted 6:0 (Mr. Wassmer absent) to recommend approval.

### **COUNTY ADMINISTRATOR RECOMMENDATION**

The attached resolution (R26-25) and ordinance (O26-5) propose to give the above listed parcels a future land use designation, eliminate split zoning through rezoning and align the zoning classifications with the Comprehensive Plan. There is no legal requirement for the Zoning Map to be in strict conformance with the Comprehensive Plan's future land use map; however, it has historically been the practice in York County to zone most property for its intended use as set forth in the Comprehensive Plan. This is based on the principle that property owners should not have to go to the effort and expense of applying for a rezoning in order to develop their land in accordance with the Comprehensive Plan. Therefore, based on the considerations and conclusions as noted, I recommend that the Board of Supervisors approve these applications, subject to the conditions set forth in proposed Resolution R26-25 and Ordinance No. 26-5.

Carner/6689

#### Attachments:

- Excerpts from the minutes of the January 14, 2026, Planning Commission meeting
- Zoning Maps
- Resolution No. 23-162
- Proposed Ordinance No. 26-5
- Proposed Resolution R26-25