

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Ordinance

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the 17th day of October, 2023:

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<u>Present</u>	<u>Vote</u>
Thomas G. Shepperd, Jr. Chairman	Yea
G. Stephen Roane, Jr., Vice Chairman	Yea
Walter C. Zarembo	Yea
Sheila S. Noll	Yea
W. Chad Green	Yea

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On motion of Mr. Roane, which carried 5:0, the following ordinance was adopted:

AN ORDINANCE TO AMEND COUNTY CODE SECTION 15-48 TO  
CLARIFY THAT THE PARKING ORDINANCE ALLOWS FOR  
ENFORCEMENT OF PARKING RESTRICTIONS THROUGHOUT THE  
COUNTY

BE IT ORDAINED by the York County Board of Supervisors this 17th day of October, 2023, that County Code sections 15-48, be hereby amended to add a new subsection (d) to clarify that the parking ordinance allows for enforcement of parking restrictions throughout the County, as follows:

**Sec. 15-48. Parking prohibited or restricted in specified places.**

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- (a) *Secondary system highways.* No person shall park a vehicle in any of the following places within any part of the state secondary system of highways in the county:
- (1) On Comte de Grasse Street (a portion of State Route 1002) in Yorktown;
  - (2) On Read Street (State Route 1004) between Main and Water Streets in Yorktown;
  - (3) On Ballard Street (a portion of State Route 1001);
  - (4) On Buckner Street (State Route 1007) between Main and Water Streets in Yorktown;

- (5) On Water Street (in part a portion of State Route 1002) in Yorktown between Comte de Grasse Street, on the east and its intersection with the Colonial National Historical Park access ramp opposite the Yorktown Victory Center on the west, excepting the south side of Water Street between Read Street and a point approximately 340 feet east of Ballard Street;
- (6) On Mathews Street (Route 1001) between Route 17 and Water Street (Route 1002);
- (6.1) On Zweybrucken Road (Route 1001) between Main Street and Ballard Street;
- (6.2) On Main Street (Route 1001) between Zweybrucken Road and Read Street, except as set forth in Section (b)(1), herein;
- (6.3) On Main Street (Route 1001) between Ballard Street and Martiau Street;
- (6.4) On Martiau Street (Route 1008) between Main Street and dead end;
- (6.5) On Alexander Hamilton Boulevard (Route 1012) between Route 17 and Ballard Street, except as set forth in Section (b)(1), herein;
- (6.6) On Read Street (Route 1004) between Main Street and Ballard Street;
- (6.7) On Church Street (Route 1003) between Main Street and the entrance to the National Park Service parking lot, except as set forth in Section (b)(1), herein; (6.8) On Church Street (Route 1003) between Main Street and the entrance to the York Hall parking lot, except as set forth in Section (b)(1), herein;
- (7) On the Back Creek Park recreational access road (State Route 1291) from State Route 173 eastwardly approximately one thousand eight-hundred feet (1,800') to its terminus at a cul-de-sac;
- (8) On the New Quarter Park recreational access road (State Route 1314) from State Route 1330 northwardly approximately one and two-tenths (1.2) miles to its terminus.
- (9) On Glen Laurel Way (State Route 1069) between the hours of 7:00 am and 3:00 pm, Monday through Friday.
- (10) On Elmhurst Drive (State Route 1370) and Crepe Myrtle Drive (State Route 1371), for their entire lengths.
- (11) On Bay Tree Beach Road (Route 712) beginning at a point 1,550 feet north of its intersection with Seaford Road and extending an additional 2,600 feet to the northeast where Bay Tree Beach Road turns in a southerly direction, said segment generally encompassing the portion of the road that passes through the low-lying marsh area.
- (12) On Alexander Lee Parkway (Route 705), Stafford Court (Route 1035), and Warwick Court (Route 1034).

(b) *Additional Parking Restrictions Applicable in Yorktown.*

- (1) *Short-term Parking Allowed on Certain Streets:* Between the hours of 8:00 a.m. and 6:00 p.m., parking for a period of time in excess of two (2) hours shall be prohibited on the following streets or street segments, except by permit issued pursuant to this section:

- a. Main Street (both sides) between Ballard Street and Read Street.
- b. Main Street (north side) between Read Street and Nelson Street.
- c. Church Street (east side) between Main Street and the entrance to the National Park Service parking lot.
- d. Church Street (west side) between Main Street and the entrance to the York Hall parking lot.
- e. Alexander Hamilton Boulevard (north side) between Ballard Street and the entrance to the York-Poquoson Courthouse.

The owner/operator of businesses fronting on any of the above listed street segments may request a special parking permit for their vehicle and for the vehicles of their employees which permit shall be for the purpose of allowing parking in excess of two (2) hours along the otherwise restricted street segments. Such permits shall be in the form of a decal for the business owner/operator's vehicle(s) and a mirror hanger for each of their employees.

- (2) *Residents-only on-street parking restrictions.* The following residents-only parking restrictions on certain streets in Yorktown are established in order to reduce or prevent congestion and hazardous traffic conditions in residential areas, to protect those areas from excessive noise and other adverse impacts of automobiles, to protect the residents of these areas from unreasonable burdens in gaining access to their property and to preserve the residential character of such areas and the property values therein.

- a. *Restricted streets.* The following streets or street segments shall be covered by the restrictions set forth herein:
  1. Bacon Street—entire length
  2. Smith Street—entire length
  3. Nelson Street—entire length
  4. Church Street—between Ballard Street and the entrance to the National Park Service parking lot
  5. Church Street—between the York Hall parking lot entrance and it terminus at the Church Street stairs to the waterfront
  6. Ambler Street—entire length
  7. Pulaski Street—entire length

Parking along the side or shoulders or within the right-of-way of the above listed streets shall be prohibited except by the holders of permits granted under the terms and procedures of this section, or pursuant to the exceptions established herein.

- b. *Eligibility for permit.* Persons who legally reside on, or who are owners of, property abutting a street regulated under this section may obtain permits to park in the otherwise restricted areas. Permits issued pursuant to this section shall be limited to one for each motor vehicle registered in the resident's or property owner's name or held by the resident or property owner under a written automotive lease, which motor vehicle must be kept and regularly used by the owner or resident at his or her place of residence on the restricted street. Before issuing such permit, the County Administrator or his designee shall verify that the motor vehicle for which the permit is to be issued meets the above requirements. All applicable county motor vehicle taxes and fees relative to the motor vehicle must be paid prior to the issuance of a permit for such vehicle. An applicant for a permit must show evidence satisfactory to the county of ownership of the motor vehicle and, if the applicant occupies the property under a lease, produce a copy of a valid written lease for occupancy of the property.
- c. *Issuance of permits and decals.* Subject to verification of resident or property owner status as noted above, a permit and a display decal shall be issued for each registered vehicle. Permits and decals shall be issued on an annual, calendar-year basis. A parking permit decal issued hereunder shall be displayed only on the vehicle to which it is issued and assigned and shall not be transferred from one vehicle to another. Should a vehicle to which a parking permit and decal is issued and assigned be sold, traded or otherwise disposed of, such decal shall be removed and destroyed. A new permit and decal shall be secured for any replacement vehicle, which decal shall be issued for the remainder of the permit year, free of cost.
- d. *Exceptions.* The parking prohibitions of this division shall not apply to:
  - 1. Service or delivery vehicles when providing services or making deliveries to properties on the restricted street.
  - 2. Emergency, law enforcement, rescue, construction or utility vehicles or other public use vehicles when on a call or engaged in work on or along the subject streets.
- e. *Proper display of resident decals.* Decals shall be properly displayed as follows:
  - 1. A decal shall be displayed in the lower left corner of the rear window of the vehicle for which the permit has been issued. The decal must be adhered directly to the window and may not be taped or affixed in any other manner which may allow the transfer of the decal to another vehicle. If the vehicle does not have a rear window or the rear window is legally obscured (i.e., louvers), the decal may be

displayed on the driver's side of the vehicle, adhered to the lower right corner of the side window nearest to the rear of the vehicle. For a convertible or other vehicle with no permanent rear window, the decal may be adhered to the driver's side of the windshield. A decal issued with respect to a motorcycle shall be displayed beside the state inspection sticker on the motorcycle front fork or adjacent to the state inspection sticker, or shall be affixed to the lower portion of the windscreen, if one exists.

2. Any alteration of a decal shall render invalid the decal and the parking permit with which it is associated.
  3. A person to whom a decal has been issued shall not loan, assign, sell or otherwise convey such decal to any other person or vehicle.
  4. Decals, if destroyed or lost, may be re-issued within the same permit year, upon written explanation, satisfactory to the county administrator.
- f. *Proper display of guest and visitor permits.* Guest and visitor permits shall be displayed by hanging from the center (interior) rear view mirror so that the printing on the permit faces the front windshield. Any alteration(s) to a guest permit, or obscuring of information printed on a guest permit, such as by opaque markings or by folding such permit so any printed information is not visible, shall render the guest permit invalid.
1. Each occupied residential property shall be issued three (3) guest parking permits (mirror hangers).
  2. Guest permits shall be displayed within a vehicle only while the owner or operator of such vehicle is a guest at the occupied residential property to which the permit has been issued.
  3. Guest permits may be temporarily loaned by the member(s) of one affected household only to another household located within the same restricted parking block as identified in subsection (a) above, for the purpose of accommodating a large gathering of guests at a particular household. No other transfers or loans of guest permits shall be permitted.
  4. Guest permits, if lost or misplaced, shall not be re-issued within the same permit year.
- g. *Special event parking.*
1. A person legally residing on property which qualifies for a parking permit under this section may apply to the county administrator or his designee for the issuance of a special event parking waiver, to allow persons attending a special event taking place at the applicant's residence to park within the regulated area during such event. Qualifying special events include, but are not limited to, weddings,

funerals, social functions and other similar events which would cause persons to visit the applicant's residence on a specific day between specified hours.

2. If the county administrator or his designee is satisfied that the proposed event will require parking in excess of that normally allowed the applicant under this section, then the county administrator or his designee may suspend the permit parking requirements in all or a portion of the permit parking area as deemed necessary to provide additional parking for the particular event to an extent that will not unduly reduce the number of parking spaces needed by other residents of the area during the hours of such event.
  - h. *Penalty for violation.* Any person who violates any provision of this section shall be guilty of a traffic infraction and punished as provided in section 15-2 of this Chapter.
- (c) *Parking of certain classifications of vehicles in certain designated areas*
- (1) Statement of Intent: The purpose of the following regulations is to define certain classifications of vehicles and to identify those areas where it is necessary to prohibit the parking of such classified vehicles in order to enhance pedestrian and vehicular safety, protect and preserve the public investment in such streets that are designed primarily for residentially-related traffic, and to protect and preserve the character of residential areas. In addition, where applied in non-residential areas, such restrictions are intended to provide for enhanced vehicular safety and to protect and preserve the character of the subject industrial or office park or other commercial/industrial area.
  - (2) Classification of Vehicles: For the purposes of this subsection, the classification of vehicles shall be as follows:
    - a. Commercial Vehicle:
      1. Any vehicle with a gross vehicle weight of ten thousand (10,000) pounds or more, or a length of 21 feet or more, including trailers or other attachments;
      2. Any vehicle, regardless of size, used in the transportation of hazardous materials as defined in section 103 of the federal Hazardous Materials Transportation Act (49 C.F.R. Part 172, Subpart F);
      3. Any heavy construction equipment, whether located on the street or on a truck, trailer or semi-trailer;
      4. Any solid waste collection vehicle, tractor truck or tractor truck/semi-trailer or tractor/truck combination, dump truck, concrete mixer truck, or towing or recovery vehicle;
      5. Any trailer, semi-trailer or other vehicle in which food or beverages are stored or sold

- b. Passenger Carrying Vehicle
    - 1. Any vehicle designed to carry sixteen (16) or more passengers, including the driver.
    - 2. Any vehicle licensed by this Commonwealth for use as a common or contract carrier or as a limousine.
  - c. Recreational Vehicle. A device, whether or not self-propelled, designed or used for transporting persons or property for or in connection with recreation, as distinguished from mere transportation, having a gross vehicle weight of ten thousand (10,000) pounds or more, or a length of 21 feet or more, including trailers or other attachments, and including such things as motor homes, travel trailers, campers, boats and boat trailers.
- (3) Designation of Specific Vehicle Classifications and Areas Subject to Restriction. No person shall park any commercial vehicle, passenger-carrying vehicle, or recreational vehicle (all as defined herein) on any road, highway or street within the state secondary system of highways in any of those areas or subdivisions in the County as described below. In the case of subdivisions, the areas governed by this subsection shall be those areas commonly known by the names listed below and designated on the plats of subdivision recorded in the clerk's office of the circuit court of the county. Such restrictions shall have no application to any privately owned street, or any street owned by a property owners association within the listed areas. In the event a street serves as the dividing line between a designated residential subdivision and an adjoining commercial zoning district, the parking restrictions shall apply only on the residentially-zoned side of the street.
- a. Skimino Farms subdivision, all sections.
  - b. Greensprings vicinity being further described as the area bounded by Bypass Road on the south, Waller Mill Road on the west, Carrs Hill Road on the north, and Route 132 on the east.
  - c. Penniman Road/Government Road/Hubbard Lane vicinity being further described as the area bounded by Government Road and Penniman Road on the south and southwest, the Williamsburg city line on the west and northwest, the Colonial Parkway on the north, and Interstate 64 on the northeast and southeast, including, but not limited to, all sections of the Queenswood, Charleston Heights, Springfield Terrace, Nelson Park, York Terrace, Magruder Woods, Bruton Glen, Penniman East, Penniman Woods, Queens Creek Estates, and Middletown Farms subdivisions.
  - d. Carver Gardens
  - e. Yorktown, being further described as the area bounded by the York River on the northeast, the United States Coast Guard Reserve Training Center on the east, Route 238 and the Colonial Parkway on the southwest, and Yorktown Creek on the west.

- f. York Crossing
- g. Glen Laurel
- h. Yorkshire Park
- i. Heritage Hamlet
- j. Plantation Acres
- k. Bethany Terrace
- l. Grafton Woods
- m. Sommerville
- n. Villages of Kiln Creek
- o. Williamsburg Bluffs
- p. Breezy Point
- q. Woodlake Crossing
- r. Mill Crossing
- s. The Homestead
- t. Yorkshire Downs
- u. Coventry
- v. The Greenlands
- w. Meadowlake Farms (aka—Heatherlea)
- x. Wythe Creek Farms
- y. Lakeside Forest
- z. Wood Towne Quarters
- aa. Victory Industrial Park
- bb. Willow Lakes
- cc. Brandywine
- dd. Gaines Estates
- ee. Lotz Acres Estates, Section 2
- ff. Tabb Meadows
- gg. Running Man
- hh. Victory Meadows
- ii. Cain Terrace



jj. York Manor

kk. Byrd Lane

ll. Kings Court and Hickory Hill subdivisions and Barham Boulevard

mm. Sherwood Forest

nn. Woods of Tabb

(4) Procedures for Consideration and Establishment of Classifications and Area Designations:

- a. The determination of streets and areas to be subject to such parking restrictions shall be based on characteristics including, but not necessarily limited to:
  1. location within a residential zoning classification or within a designated business, office or industrial park or other commercial/industrial area with special character or features that could be adversely impacted by on-street parking of large vehicles;
  2. density of development, with primary focus on residential subdivisions with a typical lot size of one (1) acre or less;
  3. predominant lot width and street frontage characteristics, with primary focus on subdivision settings where typical lot widths are 150 feet or less;
  4. location-specific safety issues including, but not limited to, considerations of traffic volumes, street surface width, sight distance, and use characteristics;
  5. documentation or determination of inappropriate parking of classified vehicles or the potential for such parking to occur.
- b. Subsequent to this preliminary review and consideration, the Board will determine whether an amendment to this ordinance designating additional streets and areas should be formally considered and, if so, it shall be advertised for public hearing by the Board in accordance with the advertisement and public notice requirements for County Code amendments, as set forth in the Code of Virginia. In addition to the standard legal advertisements, the Board's intention to consider such restrictions will be advertised on the County's government access cable channel and through such other media opportunities as the Board and County Administrator determine appropriate.
- c. Concurrently with the advertisement of the proposed ordinance for public hearing, the Board will transmit a copy of the proposal to the Virginia Department of Transportation Residency Administrator. The County staff will coordinate with the Residency Administrator to ensure communication of any VDOT concerns or considerations to the Board for

its review. Among other considerations, the Residency Administrator will be asked to review the potential for such restrictions to shift commercial vehicle parking to Primary routes or to other portions of Secondary routes where more serious traffic safety problems might be created.

- d. The County Administrator shall ensure the fabrication and posting of all such signs as are necessary to inform the public of the restrictions that apply to the subject streets and the subsequent maintenance of such signs and the prompt repair, removal and/or replacement of any signs that are damaged or destroyed.
- (d) *General Parking Prohibition:* In addition to the specific prohibitions above, and pursuant to the authority set forth in Virginia Code §§46.2-1220, 46.2-1221 and 46.2-1222, no person shall park a vehicle in violation of any parking regulatory sign erected pursuant to any county, state or federal requirement within: 1) any part of county owned or leased property, 2) the state secondary system of highways in the county, and 3) any private road or street included in highways for law enforcement purposes as set forth in section 15-6 of this Code and Virginia Code § 46.2-1307. The prohibitions in section (d)(1) are in addition to the prohibitions contained in county code 17-89.
- (e) *Application.* The prohibitions and restrictions set forth in this section shall have no application when a vehicle is parked or stopped in compliance with the order of a law enforcement officer or a traffic control device, or during a permitted period of time in officially-designated parking areas, or in case of vehicular breakdown, or in an emergency which renders it necessary. Moreover, the prohibitions and restrictions contained in subsection (c) of this section shall have no application to any vehicle while such vehicle is in actual use for loading or unloading or while actually engaged in the provision of goods or services.
- (f) *Posting of signs.* The county administrator shall cause "No Parking" and "1-Hour Parking" signs to be posted in the subject areas. Such signs shall comply with all applicable standards and specifications as set forth in the Manual of Uniform Traffic Control Devices (MUTCD) and the specifications that the County intends to use shall be coordinated with and approved by the Resident Engineer prior to fabrication. The County shall secure such permits as may be necessary for its personnel to work within and install the signs in VDOT rights-of-way.
- (g) *Application of sections 15-43 through 15-45* The provisions of sections 15-43, 15-44 and 15-45 of this Code shall apply in the enforcement of this section.
- (h) *Penalty for violation.* Any person who violates any provision of this section shall be guilty of a traffic infraction and punished as provided in section 15-2 of this Code.

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A Copy Teste:

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Heather L. Schott, MMC  
Deputy Clerk