



TOWN COUNCIL
Public Hearing & Regular Meeting
December 15, 2022
Cape Charles Civic Center
6:30 PM

1. Call to Order
 - A. Roll Call
 - B. Establish quorum
2. Moment of Silence and Pledge of Allegiance
3. Public Hearing:
 - A. [Fiscal Year 2022-2023 Proposed Budget Amendment](#)
 - B. [Historic District Design Guidelines](#)
4. Recognition of Visitors / Presentations / Recognitions
 - A. [Proposed Workforce Housing Presentation \(Bay Crossing\) – Lance Marine](#)
 - B. Recognition of Employee Celebrating 10-Year Anniversary
5. Public Comments (3 minutes per speaker)
6. *Consent Agenda
 - A. Approval of Agenda Format
 - B. [Approval of Minutes](#)
 - C. Approval of [September 30, 2022](#) & [October 31, 2022](#) Financial Reports
7. Unfinished Business:
 - *A. None
8. New Business:
 - *A. [Zoning Text Amendment Request for Bay Crossing – Resolution of Intent](#)
 - *B. [Adoption of Comprehensive Plan](#)
 - *C. [Adoption of Historic District Design Guidelines](#)
 - *D. Zoning Ordinance Amendments:
 - i. [Reaffirmation of Historic District Overlay Map & Zoning Text Amendment to § 8.3 Staff Report for Items #8D.ii through 8D.x:](#)
 - ii. [Zoning Text Amendment - § 3.2-District Regulations – Single Family Residential District R-1](#)
 - iii. [Zoning Text Amendment - § 8.3-Inventory of Landmarks and Contributing Properties Established](#)
 - iv. [Zoning Text Amendment - § 8.4-Application of the District; Relation to Other Zoning Districts](#)
 - v. [Zoning Text Amendment - § 8.8-Historic Board: Terms](#)
 - vi. [Zoning Text Amendment - § 8.14\(E\)-Historic District Review Board: Powers and Duties](#)
 - vii. [Zoning Text Amendment - § 8.20-Design Guidelines; Recommendations for Review](#)
 - viii. [Zoning Text Amendment - § 8.20\(A\)-Design Guidelines; Recommendations for Review](#)
 - ix. [Zoning Text Amendment - § 8.25\(A\)-Receipt of Application](#)
 - x. [Zoning Text Amendment - § 8.29-Expirations of Certificates of Appropriateness](#)
 - *E. [Fiscal Year 2023 Budget Amendment](#)
 - *F. [Board of Zoning Appeals Member Reappointment](#)
9. Town Manager Comments
10. Mayor & Council Comments (5 minutes per speaker)
11. Announcements
 - December 23 & 26, 2022 – Town offices closed for Christmas Holiday – State Holiday
 - January 2, 2023 – Town offices closed for New Year’s Holiday – State Holiday
 - January 15, 2023 – Town offices closed for Martin Luther King, Jr. Day – State Holiday
 - January 19, 2023 – Town Council Regular Meeting, 6:30 PM
12. Adjournment

NOTICE OF PUBLIC HEARING

MUNICIPAL CORPORATION OF CAPE CHARLES

FISCAL YEAR 2022/2023 PROPOSED BUDGET AMENDMENT

Pursuant to the Code of Virginia Section 15.2-2507, the Municipal Corporation of Cape Charles Town Council will hear public comments on the following proposed amendments to its Fiscal Year 2023 Town Budget on December 15, 2022, at 6:30 pm, at the Cape Charles Civic Center, 500 Tazewell Avenue, to receive verbal and written comments on all proposed disbursements. Written comments can be submitted prior to the hearing via email to clerk@capecharles.org, or placed in the external drop box at Town Hall. The proposed budget amendment will be discussed and brought to a vote during the regular meeting immediately following the public hearing. Budget amendment details may be viewed on the Town's website, www.capecharles.org, under Agendas and Minutes/Town Council.

Request for budget appropriation increase for FY 2023 in the following amounts:

FUND	Revenue	Expenditures
General Fund	\$436,891.85	\$436,891.85
General Capital Fund	\$238,229.00	\$238,229.00
Utilities Fund	\$459,347.41	\$459,347.41
Harbor Fund	\$35,000.00	\$35,000.00
Sanitation Fund	\$15,005.00	\$15,005.00
Total appropriations requested:	\$1,184,473.26	\$1,184,473.26

Ad submitted to Eastern Shore Post – 11/29/2022

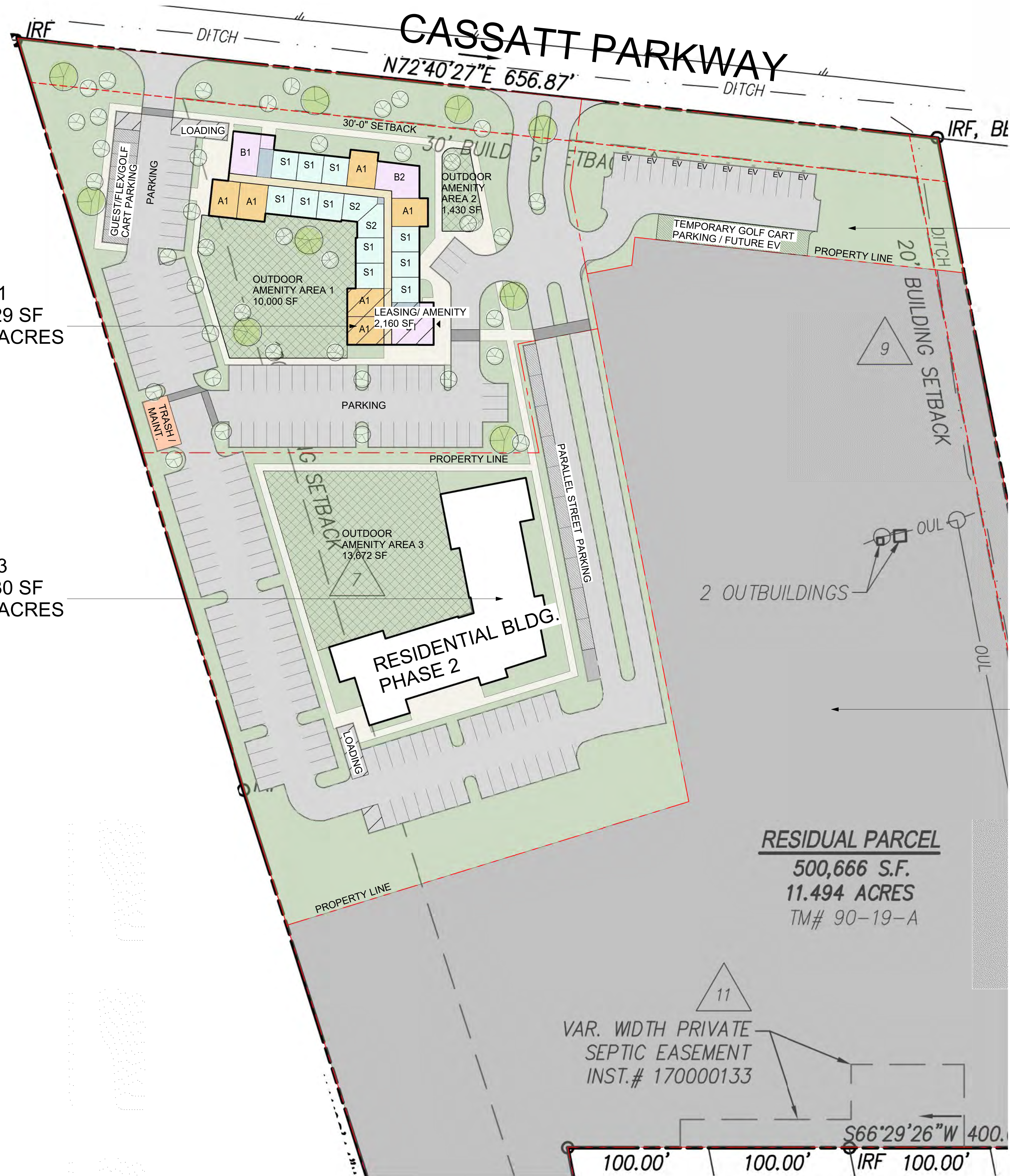
Ad to run 12/2/2022

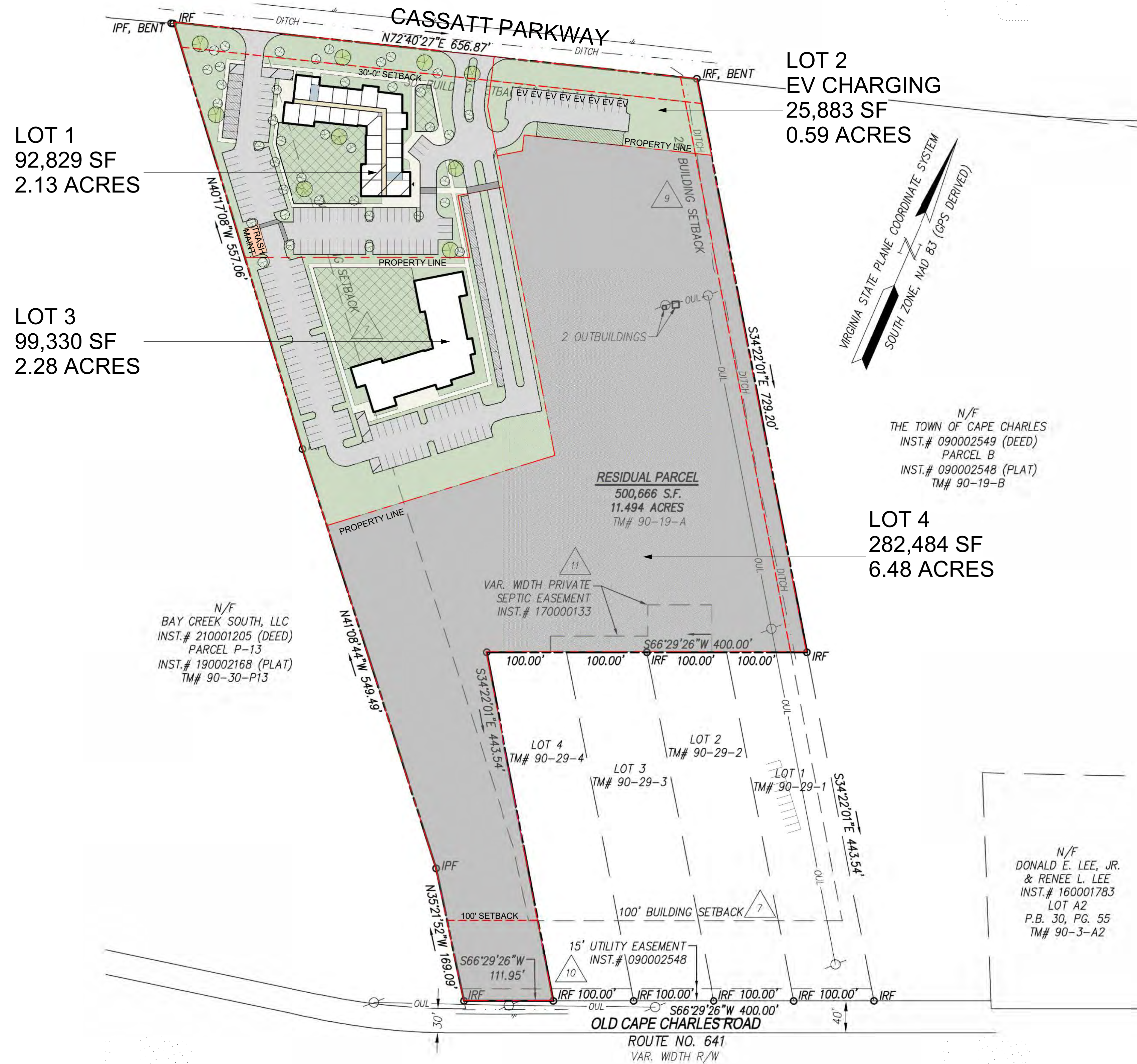
TOWN OF CAPE CHARLES
Town Council Public Hearing

Pursuant to Cape Charles Zoning Ordinance § 8.20 (C), the Cape Charles Town Council will hold a public hearing on Thursday, December 15, 2022, at 6:30 pm in the Cape Charles Civic Center, 500 Tazewell Avenue to receive comment on the proposed updated Historic District Design Guidelines. The proposed document is available for public review on our website at www.capecharles.org, under Agendas & Minutes / Town Council. Please contact the Planning Department at 757-331-2036, or by email at planner@capecharles.org if you have any questions or require additional information.

AD PLACED: Eastern Shore Post on Tuesday, November 29, 2022

AD TO RUN: Friday, December 2, 2022, and Friday, December 9, 2022

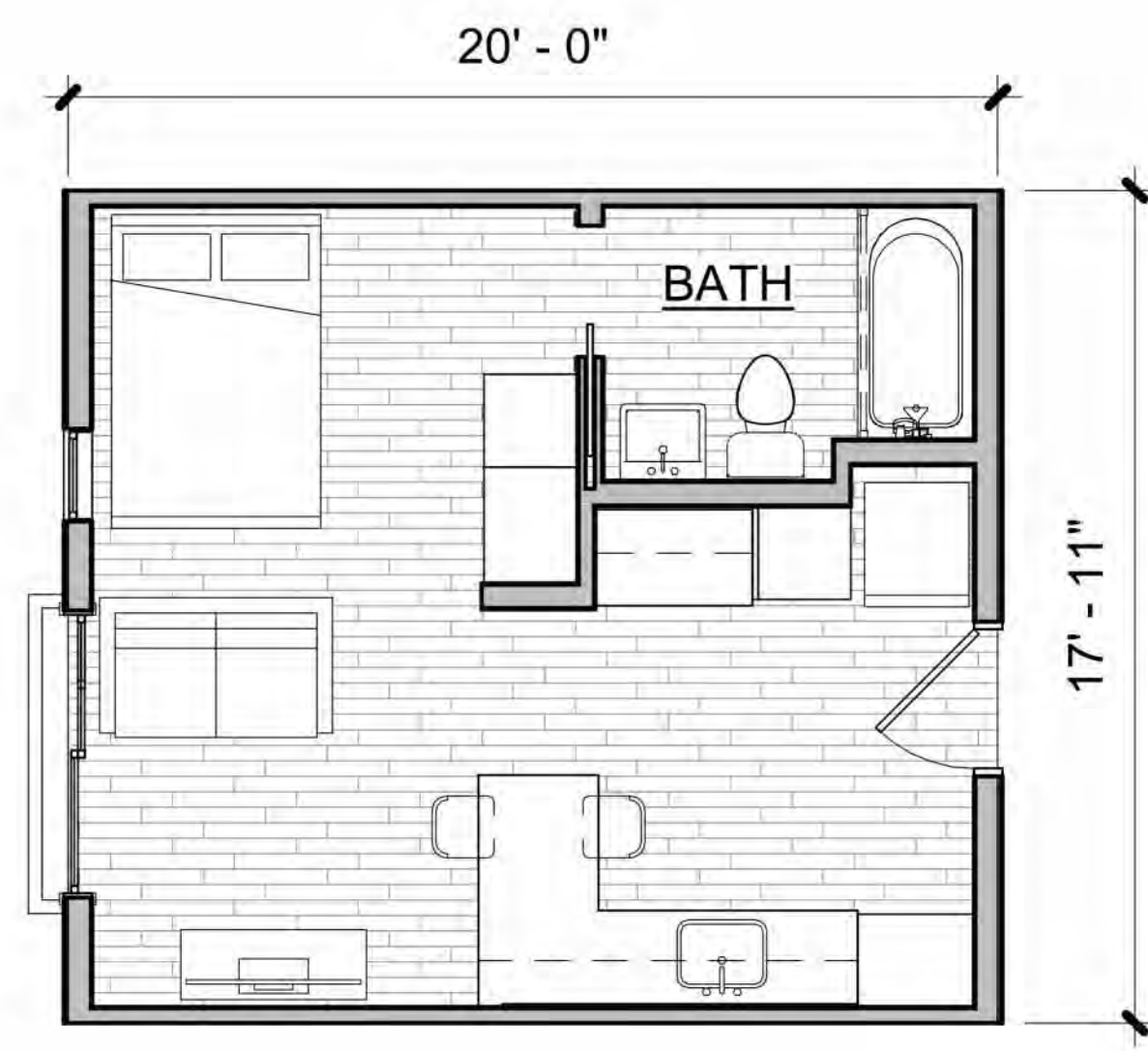




OVERALL SITE PLAN

BAY CROSSING
CAPE CHARLES
VIRGINIA
12.13.22

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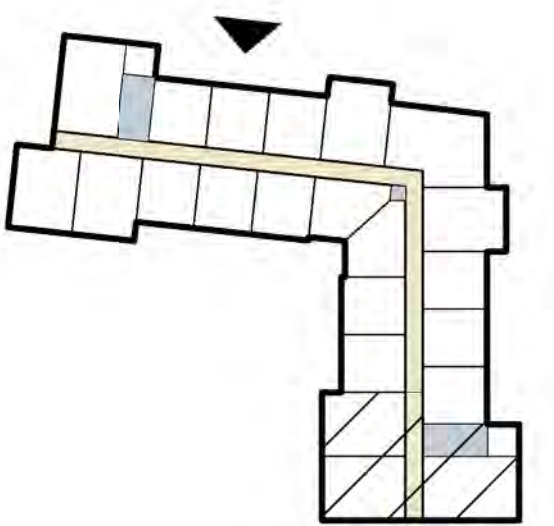
CONCEPTUAL UNIT PLAN - S1
 AREA : 360 SF
 SCALE : 1/4"=1'-0"

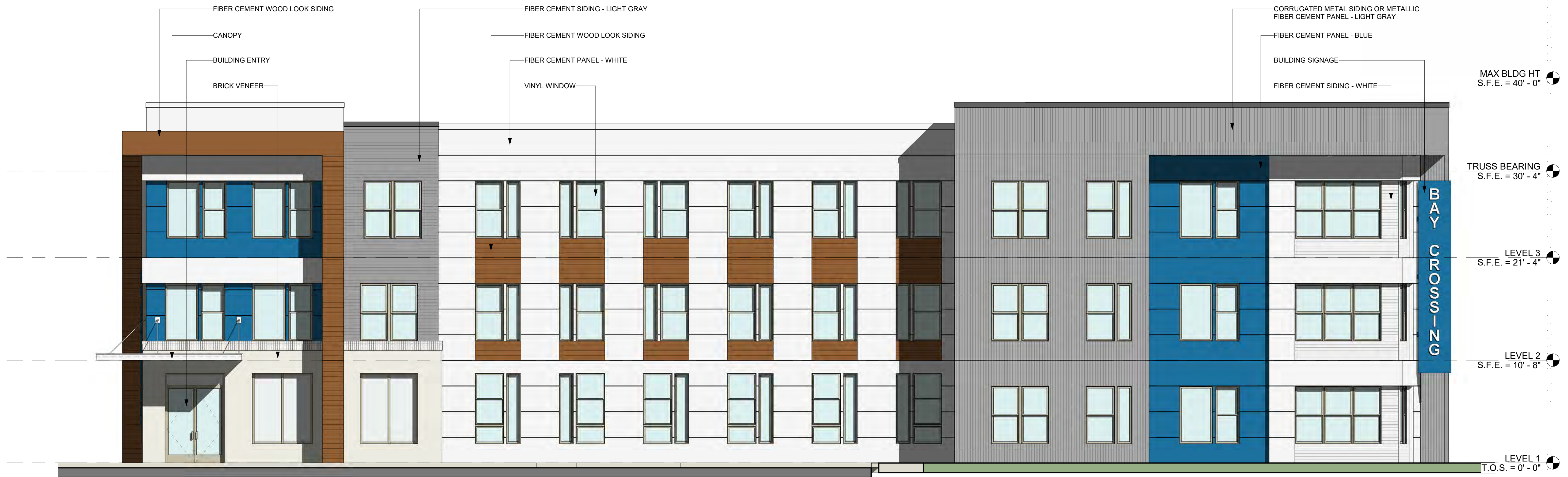


CONCEPTUAL UNIT PLAN - A1
 AREA : 520 SF
 SCALE : 1/4"=1'-0"

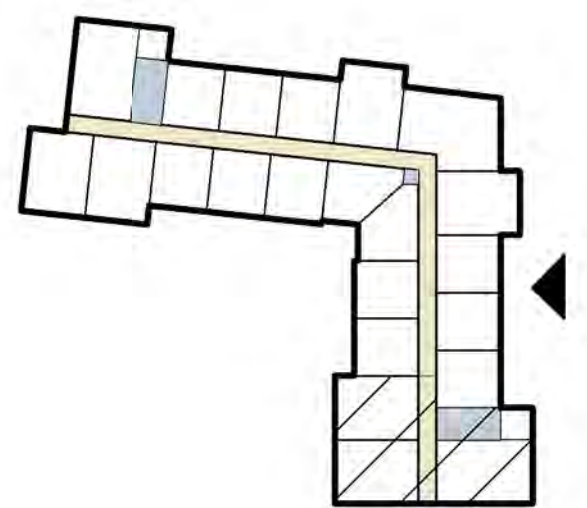


1 CONCEPTUAL BUILDING ELEVATION FACING NORTH
3/16" = 1'-0"





1 CONCEPTUAL BUILDING ELEVATION FACING EAST
3/16" = 1'-0"







DRAFT
TOWN COUNCIL
Town Hall Meetings
Cape Charles Civic Center
October 5, 2022 at 6:30 PM
October 8, 2022 at 2:00 PM

Two Town Hall Meetings were held by the Town Council regarding the potential sale of the Town's public utilities under the Public-Private Education Facilities and Infrastructure Act (PPEA). The purpose of the two meetings was to better accommodate the schedules of the citizens and business owners. The same information was covered in both meetings.

At approximately 6:30 p.m. on October 5, 2022, Mayor William "Smitty" Dize, having established a quorum, called to order the Town Hall Meeting. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O'Brien. Also, in attendance were Town Manager John Hozey, Assistant to the Town Manager Julie Pruitt, Town Clerk Libby Hume, and Officer Tom Lynch. Representatives from Virginia American Water (VAW) were also in attendance. There were 17 members of the public physically in attendance, and 13 viewers on Facebook.

At approximately 2:00 p.m. on October 8, 2022, Mayor William "Smitty" Dize, having established a quorum, called to order the Town Hall Meeting. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Buchholz, and Councilwomen Holloway and O'Brien. Also in attendance were Town Manager John Hozey, Assistant to the Town Manager Julie Pruitt, and Town Clerk Libby Hume. Representatives from VAW were also in attendance. There were 6 members of the public physically in attendance, and 10 viewers on Facebook.

Mayor Dize welcomed all in attendance adding that Town Manager John Hozey would provide a brief overview followed by questions from the public. Members of the Council would have time afterwards to provide their thoughts.

John Hozey thanked everyone for taking the time to attend this meeting in person or watch on Facebook. This was a very important discussion and the Town wanted to hear comments and questions from the public.

John Hozey provided a general overview of the process adding that a lot of information had been disseminated to the public throughout the process. Two Town Hall meetings were held earlier this year and input received was used to aide in the negotiation and development of the draft sales agreements. A comprehensive asset purchase agreement was drafted and posted on the Town's website last weekend and printed copies were available in the back of the room. This agreement would be the focus of these two Town Hall meetings. The Code of Virginia also required a formal public hearing which was tentatively scheduled for November 10, 2022 and would be followed by a special meeting for Town Council to formally consider the agreement. Should Town Council vote to move forward it would start the lengthy process of working with VAW to file for approval by the State Corporation Commission (SCC), which was the main regulatory agency that controlled private utilities. Until the SCC approved the transaction, the sale could not be finalized.

There were three main reasons for considering this sale: 1) to ensure the proper operation and maintenance of the systems; 2) to improve water quality as this was one of the main complaints received from residents; 3) to try to keep the rates lower than if the Town were to retain and operate the system. Ancillary benefits included i) the Town would be compensated and would be able to pay off existing debt; 2) additional resources would become available to apply to other priorities and capital projects.

The Town hired a consultant to assist with the evaluation process and quite a bit of time has been spent on due diligence. Other communities serviced by VAW were contacted and no significant red flags were raised.

A number of good questions were received prior to the Town Hall meetings and were reviewed as follows:

If the Town and VAW reach an agreement, what is the likely timing to complete the sale? What is the optimistic and pessimistic estimate of the duration of the negotiations to reach an agreement?

The Town and VAW had to get the engineering assessment and appraisals which would take about 30 to 60 days. Once that was obtained, a joint petition would be filed with the SCC, and based on experience with the process with the town of Waverly, the process could take about 9 to 12 months.

Is the \$15M "maximum price" equal to the appraised value from the SCC? If not, what is the source of this "maximum price?"

The purchase price will be fair market value (FMV) as determined by the average of three independent appraisals – one by the Town, one by VAW and one by SCC. The maximum sales price was \$15M. If the FMV were to come in below \$14M, the Town Council had the option to withdraw from the deal.

Will the Town hold firm on a "minimum price" of \$14M? If not, under what conditions would the town act on the option to withdraw from the sale below \$14M? Is the town prepared to retain and operate the plant under these conditions?

It was not the Town's intent to hold firm to \$14M. \$14M was the floor and the Town Council had the right to withdraw.

What is VAW's level of confidence that the rates will be lower at the next SCC rate meeting?

The Town's rates were considerably higher than the statewide average. Upon approval of the sale by the SCC, the Town's current rates would be frozen until VAW's next rate case to the SCC. In 2017, the State required utilities to consolidate their rates into a single tariff. In the next rate case to the SCC, VAW would request that Cape Charles be brought into the consolidated rate, which was well below our current rates. A rate comparison chart was displayed showing the Town's current frozen rate along with VAW's consolidated rate. (Please see attached.)

With the huge fines, potential impact on "beach tourism," and damage to the town's reputation for recent wastewater violations, it's clear that the capital projects and improvements will focus on wastewater. What is VAW's commitment to make these issues the highest priorities and invest sufficient funds to eliminate wastewater violations? What is the estimate of the time to eliminate these violations? With respect to the transfer of ownership of the discharge permit, will VAW take financial responsibility for all wastewater violations beginning on the purchase date?

The wastewater violations were not a result of a lack in infrastructure but issues with the processes. VAW was confident that the issues with the wastewater violations would be resolved by the end of this year. VAW took enforcement compliance very seriously and had a good track record with no notices of violation being issued. If a violation was issued after the purchase date, it would be VAW's responsibility.

There are several locations in the potable water distribution system in the original section of Cape Charles that have stagnant water and high suspended solids in these "dead ends." This is a health issue; there is a risk of pathogens such as Legionella and Listeria. With the urgency of solving the wastewater violations, when will these potable water projects occur? And will VAW initiate a voluntary routine sampling program of potable water at selected point-of-use locations to ensure compliance with the regulated drinking water quality standards and protect the health and safety of stakeholders?

The Town's water system uses groundwater which had a lower chance of bacteria than surface water. Any bacteria in the water would be destroyed by the chlorine used in the processing. The Town also performed routine water system flushes to address the "dead ends" and auto flush systems had been installed in a number of strategic areas. VAW had the employees, resources, knowledge and capacity to deal with these issues.

What is the role of the Town Council with respect to VAW's list of initial project priorities for the first 12 months; is it approval/veto or advise/consent?

VAW would conduct a comprehensive planning study to identify and prioritize specific capital improvements and the initial project priorities would be provided to the Town Council for review and approval/veto.

Should VAW desire to expand their service area, what is VAW's responsibility to work with the town during the conceptual phase to evaluate the options (e.g., expand through annexation of county property or expand by creating a regional effort using right-of way through county property)?

VAW would continue to work with the Town and agreed to regular ongoing communications with the town manager and Council. Anything related to growth and systems would be discussed and if the Town had the right to voice our concerns with the SCC if we were unhappy with VAW's direction. The process for future development or regionalization was outlined in the comprehensive asset purchase agreement.

What's the purpose of the \$50K franchise fee from VAW's perspective? What is the basis for determining the amount of the franchise fee? How will the town of Cape Charles plan to spend these funds?

The franchise fee would be another line item in the Town's budget which would be reviewed by the Town Council each year. The amount of the franchise fee was a negotiated amount that both sides felt was reasonable. The franchise agreement granted VAW certain rights to operate within the community.

How will the town decide on the use of the monies in the reserve fund?

Similar to the question regarding the franchise fee, the amount from the reserve fund would be reviewed and allocated by Town Council.

After paying significant debt obligations, how will the town decide to invest the remaining assets received from the sale of the plants – will the town consider hiring a municipal advisory firm to increase the confidence of stakeholders about the town's financial decisions?

There was no thought about hiring an outside advisory firm. Town Council had already approved their list of priorities and capital improvement plans have been established.

When will the water quality improve? The documents state that VAW will invest \$10M over 8 years and that the Town can approve the initial priority list of projects. However, it looks like this initial priority list then can be changed by VAW without Town approval. How can the Town be sure that water quality stays at the top of the list?

As a regulated utility, VAW was required to meet certain water quality standards. VAW agreed to begin projects to address water quality within the first 12 months. VAW used a computer system to control the plant which would produce stable treatment and constant water quality. The filtration media would be upgraded. A study would be performed to determine the issue with taste and whether the problem was localized or throughout the system. The quality of the water from the plant could differ from the quality within a house at the tap, based on materials used in the house.

What will be the pace of improvements to the basic infrastructure of the system, both water and wastewater? Given the recent violations cited, what actions will occur to prevent similar violations in the future? Related to this, is the Town obligated to provide land or any other type of investment should VAW find it necessary to expand facilities in the future?

The current locations provide room for growth. If there was ever a need to grow the systems beyond the current locations, VAW would be treated like any other property owner and would have a process to make a proposal. In Waverly, about 70 leaks were repaired and service line replacements were made within the first 2 months. VAW was currently working with the staff of the wastewater plant to address the violations. The issues were not a result of staff not doing their job or having the knowledge to do their job but of resource control. Two lines were broken at the wastewater plant which were difficult to access for repair. VAW proposed having a diver come in to perform the repairs. A contractor would be coming by the end of this month. The Eastern Shore was a difficult area to get resources to.

Can you provide a simple financial summary that includes the following:

- a. *Estimated sales price (looks like between \$14M and \$15M)*
The estimated sales price is between \$14M and \$15M.
- b. *Debt service associated with the current water/wastewater facilities that will be paid off using proceeds from the sale.*
\$4.8M in debt service for utilities.
- c. *Other debt service unrelated to the current water/wastewater facilities that will be paid off using proceeds from the sale.*
About \$1M total debt service to include prepaids, for a total of \$5.8M to be paid off.
- d. *Any other obligations associated with the current operation that will need to be covered using proceeds from the sale.*
None.
- e. *Any account balances/reserves that will be freed up and available to the Town for its use.*
About \$2.6M in the Facilities Fund would become available to the Town.

Relative to rates, please provide a summary that shows:

- a. *Current rates*
- b. *Estimated Town rates at closing*
- c. *Estimated VAW rates at closing (it may be that a, b, and c are all the same)*
- d. *What the VAW consolidated rates would be at the time of closing, realizing that this requires State approval.*

These questions had already been discussed and reference was made to the rate comparison sheet. VAW's historical trend for the filing of rate cases was every 2 to 3 years. The last rate case was filed in 2021. The addition of Cape Charles to the consolidated rate would be included in the next rate case.

There seems to be only one reference to the annexation agreement with Preserve Communities (Article 5.2.f.). This reference talks about the settlement of liabilities to the Town's satisfaction. It is not clear who has the liability – Preserve Communities or the town of Cape Charles? Once settled, will the Town be free and clear of any obligations to provide water or wastewater services or funding of any sort to Preserve Communities? This article makes no mention of the buyer (VAW) so does that mean they are not party to any agreement and are prepared to go forward no matter the resolution between the Town and Preserve?

The annexation agreement was a separate issue between the developer, Preserve Communities, and the Town. VAW was not a party to that. The negotiation with Preserve Communities could not be completed until the engineering and capacity studies were completed. A clause was included in the comprehensive asset purchase agreement to allow time for the negotiation. The first meeting with Preserve Communities had been scheduled.

Are there any restrictions on the spending and allocation of the yearly franchise fee? Can these funds be escrowed for the inevitable legal challenges when AW raises rates significantly, much like what is currently going on in Alexandria and every other VAW services water and wastewater utility in the state?

There was no restriction on the use of the franchise fee. The consolidated rate was explained in detail. Rates would differ greatly between large and small localities. Larger localities with more users would typically have lower rates compared to smaller localities with fewer users which would have higher rates. In looking at past rate increases, VAW's rates increased from 2% to 3.75% per year over an 11 year period. In looking at the Draper Aden Report, which was a report put out annually for municipal-owned systems, over the last 10 years, rates increased an average of 3.5% for water and 3.9% for wastewater. Based on the Draper Aden Report, Cape Charles' rates were about 39% above average.

What are the provisions in the agreement for measuring VAW's performance in meeting the 3 stated reasons for selling the utility facilities and what remedies are specified should VAW fail to meet any one of these objectives?

As with any contract, the Town could pursue legal action, and depending on the issue, there could be regulatory oversight. Utilities were a highly regulated industry, if performance fell short, the enforcement arms of the Environmental Protection Agency (EPA) and the Virginia Department of Health (VDH), for water, and the Department of Environmental Quality (DEQ), for wastewater, would issue notices of violation, fines, etc., as well as the SCC regulations. VAW would also be accountable to the Town Council.

How does the agreement define the obligation that Preserve Communities has, by virtue of the Annexation Agreement between the Town and Bay Creek, to fund the necessary expansion of the water utility facilities to accommodate the connects in Bay Creek?

As stated earlier, this agreement was a separate from the Annexation Agreement. The agreement with Preserve Communities would be negotiated and the public would have the opportunity to provide input.

One of the concerns about turning over the water utilities to a private company is the loss of control over these assets. One of the assets is the name and addresses of all the water utility customers, which is essentially a Town directory. Has any consideration been given to retaining access to this information?

This was a good point as the Town used the registry for outreach to the public such as including notices to the public with the bills. This would not be lost since the Town would continue to maintain the database for trash collection services.

The following questions were submitted for the Saturday, October 8th, meeting:

Solving the recent violations in the performance of the wastewater treatment plant requires operational changes – not costly equipment purchases. I think that it's important to clarify that VAW will be able to allocate capital funds to improve the potable water distribution system as one of the first projects – an important priority for a subset of the ratepayers.

As the largest private water and wastewater utility in the state, VAW had the resources to address issues with both the wastewater and water systems. They had the capability and knowledge to plan and had committed to perform a capital study within the first 12 months to identify the true needs for the long-term health of the plants.

Regarding VAW's statement about the low risk of pathogens in potable water due to the low concentrations of bacteria and nutrients in the source water (well). My experience as an expert witness for Legionella risks in one of the Flint potable water lawsuits confirmed that the concentration of iron in the water is a nutrient for bacteria, including Legionella. The primary source of iron in Cape Charles' potable water is the wells. Legionella has a complicated life cycle; it requires a higher life form that may exist in accumulated solids that exist in the dead ends. I have worked with potable water systems that exist in manufacturing plants, and I don't understand how flushing the potable water distribution lines will remove the suspended solids and associated bacteria in the dead legs or, equally important, in the transfer piping (after the water meter) to the residences. If you have not tested the "first sample" after an idle period (e.g., overnight or longer periods), you cannot claim that there are no pathogens in the water. This is the reason that I asked if VAW planned to initiate a voluntary routine sampling program of potable water at selected point-of-use locations to ensure compliance with the regulated drinking water quality standards and protect the health and safety of stakeholders.

Legionella and Flint issues were a completely different issue than what we had in Cape Charles. Flint made a change in their treatment which resulted in a major corrosion issue related to lead and lead poisoning as well as legionella in the distribution system. Legionella mainly affected large buildings with stagnant water. Flint also used surface water as their source, and there was a big difference between treated surface water and groundwater. There was more microbial activity in surface water. There were guidelines on the VAW website to manage large buildings. Cape Charles could not be compared to Flint. If there were any bacteria suspended in a water pipe, the chlorine residual would deactivate the bacteria. The key for dealing with dead ends was flushing. If iron was a problem, you would have discolored water, and flushing would bring in fresh water with chlorine and alleviate the iron. There would be mechanisms in place to monitor the parameters and water samples would be

taken to monitor the bacteria. There was also a comment about stagnant water in the pipes within a house. It was recommended to let the water run for a few minutes to bring in fresh water.

Currently, homeowners pay a minimum water fee of \$33.46 per month regardless of how much water is used. Will this minimum usage fee be continued/increased/decreased if the water system is sold?

The current Town rates would be frozen until the next rate case. If the next rate case was approved by the SCC, Cape Charles would be included in the consolidated rate which was currently \$15.00 for 3,500 gallons.

Councilman Grossman brought up the question of water meters for accessory dwelling units (ADU) during Wednesday's meeting. It seems only fair that if there are two independent housing units on a property, whether one is lived in by the owner and the other rented out, or if both are rented out, that each should have their own water meter, especially in light of the minimum usage fee for water. The two combined might meet or even exceed the minimum usage of water for that one meter, but if separated out, one might actually use less than the minimum, and would avoid paying the minimum usage fee. If the ADU is simply used as an extension of the main house, then one water meter should suffice. Thoughts on this?

Currently the Town allowed one meter for ADUs unless a second meter was requested. VAW's operations would be fairly consistent with the Town's operations. If a garage was converted to an ADU, one meter could be used for both. Typically, if building new construction or making substantial improvements to an existing house, VAW had engineering resources available to determine the size of the meter needed.

The floor was opened to the audience for questions.

In January, Town Council said the process would take about 18 months. About 33% was cut off this time to make a decision and it was curious why the timeline was sped up so much.

The 18-month timeframe included the entire SCC process. This work began in January, so we were already 10 months into the process. The decision would not be considered until November, then the SCC application would have to be developed which would take about 60 to 90 days. Then we would have about another 9 months for SCC consideration. The process had actually slowed down and would take longer than 18 months to complete.

Is VAW privately held or public?

VAW was not a public entity in the sense of a government entity but was publicly traded.

Will the Keck Wells be hooked up?

The Town was currently in the design process to connect the Keck wells and planned to go out for bids next summer. Should the acquisition take place prior to the connection of the wells, it would be considered as part of the evaluation and transfer to VAW.

If the Keck wells are connected, would the taste of the water improve?

The water quality from the Keck wells was judged to be better and would be blended into the current water supply so with the systematic measures, the taste could improve.

Right now, there were a lot of violations in our water, one of which is arsenic. Although still within the guidelines, would anything be done about the arsenic in the water?

The amount of arsenic in the water was below the EPA limits and VAW followed EPA regulations.

What assurances does the Town have for VAW to place their obligation to the Town above their obligation to their shareholders to increase profits? VAW would have a natural monopoly.

VAW would be a regulated monopoly. Most private companies had the ability to set their own rates. VAW did not have that ability since the rates were set by the SCC to ensure reliable, safe and reasonable costs to provide water and wastewater services. It was the SCC's job to ensure that the rates set allowed for access to capital to ensure safe, reliable service to the customers. The Town had the assurance that the SCC, a public body whose sole purpose was to look out for the rate payers and the profit margin was regulated by the SCC.

Would VAW's list of priority projects be a public document so the residents would know the issues to be improved?

The document would be presented to the Town Council for review and approval. They would be available to the public as part of the agenda packet for that meeting, with the exception of any engineering and designs which were protected under Homeland Security.

Are the connection fees anticipated to be about the same as what is currently charged by the Town?

The fees could be significantly less since the Town charged for connection and facility fees for the reserve. VAW would only charge for the connection.

There were no additional questions from the audience. Mayor Dize asked for questions and comments from the Council.

Councilwoman Holloway stated that the submitted questions were good and really helped her and the audience understand the process.

Vice Mayor Bennett commented and asked the following questions: i) *When would the FMV be established?* The first appraisals would be completed by the Town and VAW before the application was submitted to the SCC. The SCC would obtain their appraisal upon receipt of the application. Toward the middle to end of the process (about 9 months in), the SCC would set the FMV; ii) *He wanted to emphasize the fact that on the rate chart, drawing the line for the Town's rate to remain level was absolutely unrealistic as there was no way for the rates to remain level if the Town were to retain the systems. As stated by VAW, if they were running the Town's systems with only our users, they would not be able to keep the rates level;* iii) *The water plant backwash currently went through a pit at the old wastewater plant site. Was there any thought of continuing that process or would the process be changed?* There would be a way to change the process. There had been recent observations by the DEQ of that outfall and we were awaiting a final determination; iv) *He did not understand the comment about the Annexation Agreement and "once the sale was settled would the Town be free and clear to provide water and wastewater to Preserve Communities."* John Hozey stated that he meant to address this question, adding that no, the Town would have no obligation after the sale; v) Vice Mayor Bennett concluded by stating his appreciation for all who submitted questions.

Councilwoman O'Brien asked whether there would be a cost to the Cape Charles Volunteer Fire Company for water use. There would be no charge for use of water for any of the area volunteer fire companies as long as the use was for fire protection and/or training.

Councilman Grossman commented and asked the following: i) *Metering hydrants was discussed, could this be for filling a swimming pool?* Contractors might want bulk water for construction purposes. They would be able to get a fire hydrant meter to track usage; ii) *He asked what documentation was being considered at the November 10th public hearing and special meeting. The Comprehensive Asset Purchase Agreement appeared to need a lot of work.* John Hozey stated that the Comprehensive Asset Purchase Agreement was completed but still needed to be filled in with some of the schedules if needed; iii) *He asked whether the Keck well property had been surveyed as included as part of the purchase agreement.* John Hozey replied that it had not been surveyed yet; iv) *He asked what would be voted on.* The items being reviewed tonight would be voted on by resolution. A public hearing was required whenever assets were sold; v) *For the SCC filing, would all the schedules have to be completed?* VAW submitted the SCC filing for the Waverly system without the easement schedules which were provided just before closing. The SCC approved the sale without the schedule but it was a condition of the closing; vi) *The Town was required to post annual quality reports which were distributed and posted on our website. How would VAW get this information out?* VAW posts the information on their website and once posted, include the information to view the report in a billing statement; vii) *The Franchise Agreement stated that the rights and privileges were for 40 years. What happened at the end of the 40 years?* In the State of Virginia, franchise agreements could not be for more than 40 years. Even after expiration, the parameters continue but the Town could approach VAW and renegotiate the terms; viii) *Is the survey of the Keck property in progress?* John Hozey stated that he was trying to get something scheduled but all the surveyors contacted were extremely busy; ix) *The Town allowed ADUs and the water supply to go through the primary home and meter, but*

owners could ask for a separate meter. Will this practice continue? Yes. One meter could be used as long as it was for an ADU. If a separate home was built, a second meter would be required. Some localities allow a second water meter for watering use since it did not go into the wastewater system; x) Are short-term rental units considered residential? Yes; xi) Councilwoman Holloway asked why a bed & breakfast (B&B) was considered as commercial? VAW would check on that and provide an answer. Typically the difference was that short-term rental usage had ebbs and flows where B&Bs were continually operated as a business.

Councilman Follmer commented and asked the following: i) *He expressed his agreement with Vice Mayor Bennett regarding the rate comparison chart. People kept referring to the issues with Alexandria. In looking at the chart, and assuming their Council did their due diligence, they knew the state called for a consolidated rate, so the idea of a rate increase should not have been a surprise since their rates were so low.* VAW had owned and operated the Alexandria plant since the 1880s but the rate consolidation mandate only happened a couple of years ago. *Councilman Follmer added that Alexandria did not complain about the rates, but the state's requirement that they would be subsidizing other areas.* VAW stated that consolidation was mutually beneficial to every customer. Every locality would need a large capital project at some point. The Town of Cape Charles would benefit immediately upon consolidation. There was stability and everyone benefitted from consolidated rates.

There were no more questions or comments from the Town Council.

Mayor Dize thanked everyone for coming out for the Town Hall meetings. This was a very big decision which would affect the citizens of the Town for many years.

John Hozey stated that a public hearing was scheduled for November 10, 2022 which would give citizens another opportunity to provide their input. Town Council would hold a special meeting following the public hearing to formally consider the matter.

Mayor Dize noted that Vice Mayor Bennett left the October 8th meeting at 3:29 p.m. for an emergency.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to adjourn the October 5, 2022 Town Council Town Hall Meeting. The motion was approved by unanimous vote.

The October 5, 2022 meeting adjourned at 8:23 p.m.

Motion made by Councilman Buchholz, seconded by Councilwoman Holloway, to adjourn the October 8, 2022 Town Council Town Hall Meeting. The motion was approved by unanimous vote.

The October 8, 2022 meeting adjourned at 3:36 p.m.

Mayor Dize

Town Clerk

Rate Comparison (W & WW Combined)



- Notes:
- Cape Charles rates reflect current rates
 - VAWC estimated consolidated rates assume:
 - 2023 rates at levels filed with the State Corporation Commission (SCC) as part of a Stipulation of Settlement in Case No. PUR-2021-00255; these rates are not final and remain subject to SCC review and approval.
 - an annual growth rate based on historical experience
 - the inclusion of VAWC's current purchased water surcharge
 - 3,500 gallons of average residential usage per month
 - All rate transitions are subject to SCC review and approval



**DRAFT
PUBLIC FORUM
Re: Draft Comprehensive Plan Presentation
Cape Charles Civic Center
October 6, 2022
6:30 PM**

At approximately 6:30 p.m. Planner/Zoning Administrator Katie Nunez welcomed everyone to the Cape Charles Public Forum to review the Draft Comprehensive Plan, adding that this was not a meeting of any board, although many of them were in attendance. There would be no time limits to the comments, but she asked that the comments be pertinent to the Comprehensive Plan being presented this evening and that everyone be respectful of each other and their comments. The comment period will remain open until October 24, 2022, and all comments, good or bad, were requested. After all comments were received, they would be compiled for review by the Town Council and Planning Commission at joint work session scheduled for October 27th. The final draft should be back in November and the public hearing process for the Planning Commission and Town Council would begin. She was hopeful that the final document could be adopted by the end of this year. She asked that any additional comments be emailed to planner@capecharles.org or knunez@capecharles.org. When submitting comments, please include the page number along with the specific comment, criticism or thought process. She would be serving as this evening's moderator and if anyone had any questions, please raise their hand to be acknowledged. She asked that all speakers wait for the wireless microphone to be brought to them before speaking so they could be heard by everyone in the room as well as those watching on Facebook.

Katie Nunez added that there were several maps in the back of the room for review – the current zoning map showing all the changes over the last decade, and the future land use map. There were also hard copies of the draft comprehensive plan and PowerPoint presentation in the back.

John Hozey added that this was the first opportunity for many of us to see the full document. We were here tonight to obtain public input. The Town Council and Planning Commission would have a month to thoroughly review the document. They were encouraged to provide their documents to Katie Nunez by the October 24th deadline. The joint work session was scheduled for October 27th to review the comments received and to further discuss and polish the document. The public was welcome to attend the joint work session. It would not be broadcast on Facebook since it was a work session.

In attendance:

Town Council: Mayor Dize, Vice Mayor Bennett, Councilmen Buchholz and Grossman, and Councilwomen Holloway and O'Brien.

Planning Commission: Chairman Bill Stramm, Vice Chairman Dennis McCoy, and Commissioners Ken Butta, Paul Grossman, Jim Holloway, and Michael Strub.

Town Staff: Planner/Zoning Administrator Katie Nunez, Town Manager John Hozey, Assistant to the Town Manager Julie Pruitt, and Town Clerk Libby Hume.

Summit Design & Engineering Services: Michael Stapor, and Noah Holmes Foster.

There were two members of the public physically in attendance, and 17 viewers on Facebook.

Michael Stapor presented a PowerPoint providing an overview of the background and process relating to the update of the Comprehensive Plan. (Please see attached.)

There were a number of questions and comments from the attendees related to: i) town revenue statistics that were not included in the draft document; ii) It was explained that zoning was the legal

requirements for development on land but the draft Future Land Use Map was to guide the development of the land with the general direction the town was looking for in the specific areas. The Future Land Use Map was not legally binding but for guidance; iii) The potential combining for separation of existing zoning districts was briefly discussed. This would be reviewed in more detail during the zoning review; iv) The designations of specific parcels were briefly discussed; v) There were two different vision statements included. The vision statement from the Cape Charles Strategic Plan should be the one included in this document; vi) The county's Town Edge area was explained. The Town would be looking at the Town Edge area to include the type of development that would be good in this area. This would be another project and not part of the comprehensive plan; vii) There was much discussion regarding inclusion of the Town's Priorities, Capital Improvement Plan, etc. John Hozey noted that most things included in a comprehensive plan did not work. The comprehensive plan needed broad visions, such as land use, etc. and needed to be kept relevant. An item could be high priority one year and not so much the next year. It was also noted that priorities changed with new members coming onto Council; viii) John Hozey stated that the comprehensive plan would be used to develop future Capital Asset Management Plans (CAMP).

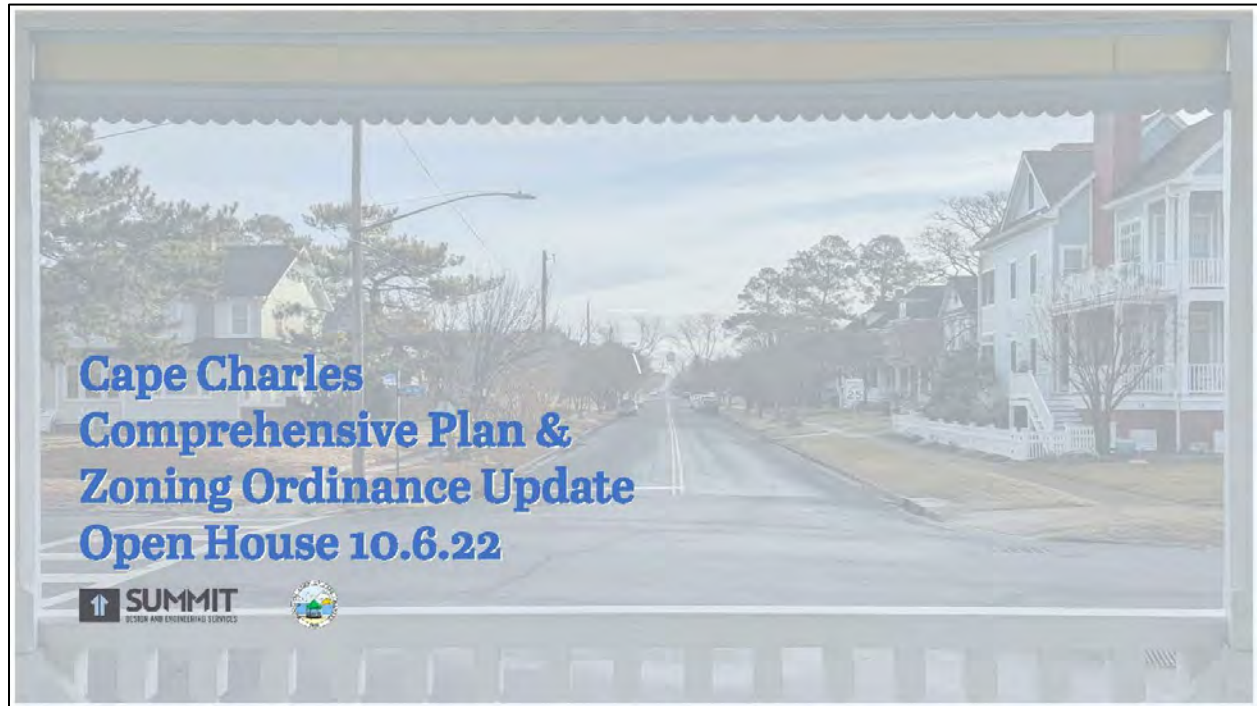
Katie Nunez stated that all information provided this evening was also available on the Town's website on the agenda page as well as on the Comprehensive Plan Update page. Libby Hume added that it would also be added to the homepage along with the video from tonight's meeting for public viewing.

Katie Nunez reiterated that written comments would be accepted until October 24th, and everyone was welcome to attend the joint work session on October 27th.

The public forum concluded at 7:06 p.m.

Town Clerk

October 6, 2022 Public Forum
Presentation Slides



Summit's Team.



Anne Darby, AICP
Project Lead, Planning Manager



Michael Stapor, AICP
Planner II



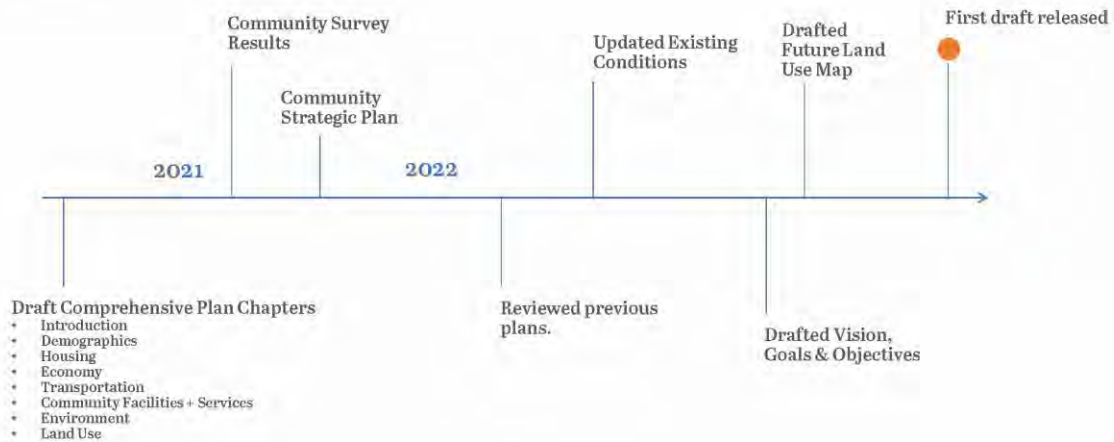
Noah Holmes Foster
Planner I

+ Other Summit staff, as needed...

The Process So Far.



We are Here.



The Process.



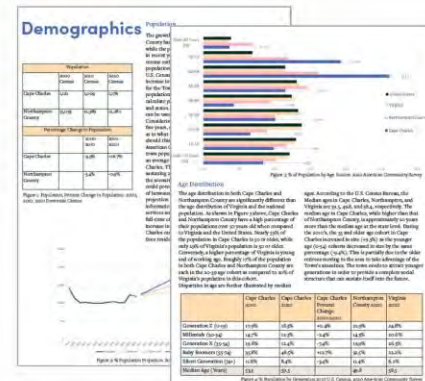
Our Work So Far.



Mapping



Reviewed Previous Work

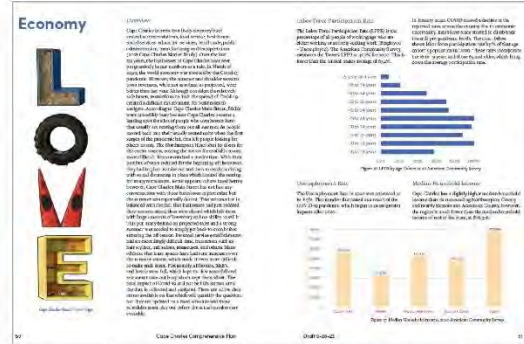


Updated Demographic Information

Comprehensive Plan Draft.

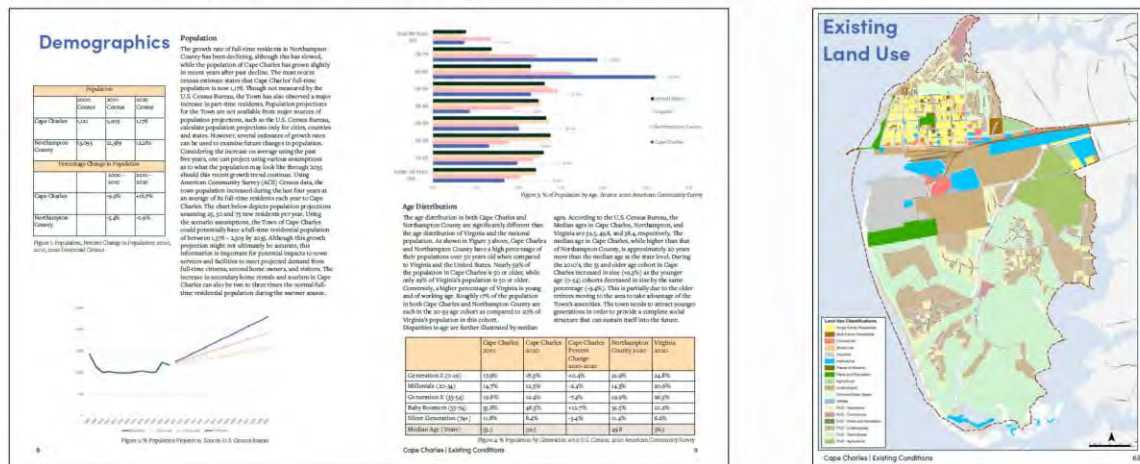


- Draft Chapters**
- Introduction
 - Context
 - Public Input
 - Housing
 - Economy
 - Transportation
 - Community Facilities + Services
 - Environment
 - Land Use + Future Land Use
 - Implementation Matrix
 - Appendix



Visually appealing with images, explanations. Additional narrative text added.

Updated Existing Conditions.



Updated with latest available demographic information.

New / Updated Maps

Vision, Goals, Objectives & Strategies.

“The people of Cape Charles cherish and nurture the unique qualities of this small, historic town. At the same time, Cape Charles will reach for a future that gives all citizens the opportunity for prosperity, cultural enrichment, access to environmental treasures, and secure, sustainable homes.”

Vision from Public input, Strategic Plan, Town staff, and Planning Commission + Town Council input

Objectives and Strategies

1. Pursue appropriate additional supply and diversity of housing, including smaller single-family homes, duplexes, townhomes, and condos to increase the availability of affordable housing.
 - a. Assess potential incentives for mixed-income housing development.
 - b. Consider the benefits of creating a mandatory Workforce Housing Ordinance as authorized by Virginia Code § 6.2-1305, as well as other strategies implemented by other localities.
2. Review Zoning Ordinance to identify barriers to the development of mixed-income housing, as well as housing that is naturally more affordable.
 - a. Assess opportunities to increase density in the Historic District while maintaining the architectural character of the area.
 - b. Identify opportunities to decrease parking minimums on lots adjacent to certain zoning districts to increase the amount of developable land on each parcel.
 - c. Assess the findings in the report “Overcoming Land Use Ordinance Barriers to Housing Development” in Northampton County including Town of Cape Charles (published May 27, 2016).
3. Use findings from Eastern Shore of Virginia Regional Housing Study (published March 2012) to inform future land use and housing policy.
 - a. Conduct a public awareness campaign.
 - b. Increase existing and promote the development of new housing of diverse types.
 - c. Consider other recommendations from Regional Housing Study.
4. Encourage development of affordable workforce housing.
 - a. Amend Zoning Ordinance to permit greater density where appropriate.
 - b. Identify and promote Town-owned sites for housing development.
 - c. Engage local businesses about the housing needs of their employees and disseminate said information to County and Regional Housing officials.
5. Subject to staff resources, participate in housing financing programs.
 - a. Consider participating in programing, loan, and grant initiatives that support affordable housing, such as the Farmington Planning, the Housing Choice Voucher Program, and the Low-Income Housing Tax Credit Program.
 - b. Disseminate housing assistance information focused on available financing for housing rehabilitation (i.e. Livable Home Tax Credits through HUD, Rehabilitation Tax Credits through USDA), provide and promote these programs with targeted marketing materials on the Town website and in the offices of the Planning & Zoning and Building Departments.

Draft Strategies per topic area

Draft Future Land Use Map.



- Conservation/Open Space:** These areas are intended for the conservation of natural resources and protection of open space. These areas include parks, recreational areas, and agricultural land.
- Entrance Corridor:** The Entrance Corridor is intended for the development of a mix of commercial and residential uses with appealing visual aesthetics, quality architecture, and high quality landscaping that enhance the character and first impressions of the Town.
- Historic Downtown Mixed Use:** The Historic Downtown Mixed Use category covers part of the existing downtown historic area of Cape Charles along Mason Avenue. Development in this area is intended to reflect the diversity of historic architectural features present in the Town and incorporate the diversity of uses that bring Main Street to life.

This plan allows for more flexible use of historic properties across the district. Rehabilitation of existing historic buildings and infill development should comply with Historic District guidelines with particular attention to how the buildings address the streetscape.

Buildings should be between two and four stories with minimal (if any) setbacks and ground floor uses that engage pedestrians with visually appealing facades.
- Historic Downtown Residential:** The Historic Downtown Residential category covers the majority of the original street grid in Cape Charles. Any new development in this area is intended to reflect the historic character of the core residential area and complement features of existing structures.

This plan recognizes that some historic homes have been converted into lodging and other uses. As such, the plan intends flexibility in use while maintaining the character of the area and quality of life for residents.
- Planned Unit Development / PUD Conservation:** The Planned Unit Development surrounding the historic area of Cape Charles is intended to accomplish specific development goals, while being complementary to the Town's broader Vision and Objectives.
- Harbor District:** Further master planning will be conducted to create a strong vision for the Harbor District. The area is intended to develop in a way that mirrors the success of Mason Avenue and nearby historic residential blocks. The district could include structures between two and four stories with a mix of uses on an extension of the highly walkable street grid. Specific Harbor District design guidelines should be developed with particular attention to how buildings address the streetscape and the harbor front to create a lively and attractive extension of historic Cape Charles.
- Harbor District Industrial:** This category is for existing and future commercial and industrial uses along the southern area of the harbor. Although these uses may increase, the proximity to the deep water harbor is necessary for their function and for the economic diversity of the Town.

Looking Ahead.

Task	Staff	Product	Monthly Progress	2022												2023														
				1/27/2022	24 Jan	7 Feb	21 Feb	7 Mar	21 Mar	4 Apr	18 Apr	2 May	16 May	30 May	13 Jun	27 Jun	11 Jul	25 Jul	8 Aug	22 Aug	5 Sep	19 Sep	3 Oct	17 Oct	31 Oct	14 Nov	28 Nov	12 Dec	26 Dec	9 Jan
Kick-Off Meetings	Anne and Michael with John and Katie		1																											
Review Previous Plans and Additional Documents	Anne and Michael	Summary of relevant documents	1																											
Leadership Forum	Anne and Michael with John and Katie		1																											
Data Inventory and Research; Existing Conditions and Mapping	Michael, Joel and Sara, as needed		1																											
Refine and Publish Existing Conditions Report and Community Profile	Michael, Joel, Anne as requested	Existing Conditions Report and Map Book	2																											
Public Engagement - Stakeholder and Community Meetings	All Survey team + all Cape Charles team		3																											
Establishing a Town Vision and Goals	Anne, Michael, with Cape Charles staff contributing and reviewing	Draft Vision and Goals	4																											
Objectives and Strategies	Anne, Michael, with Cape Charles staff contributing and reviewing	Draft Objectives and Strategies	5																											
Prepare FLU Map and Growth and Development Policies	Anne, Michael, with Cape Charles staff contributing and reviewing	Draft Future Land Use Map and Development Policies	6																											
Compliance with Sec 15. of the VA State Code	Anne, Michael, with Cape Charles staff contributing and reviewing		6																											
Write and Compile the Comprehensive Plan	Michael as lead, Anne advising	Draft Comprehensive Plan	7																											
Complete all Edits and Present the Plan for Approval	Anne		8																											
Begin Zoning Ordinance Update	All Survey team + all Cape Charles team		9																											
Recreate the 2008 Zoning Map in GIS	Michael, Anne	Draft Plan	9																											
Aligning the Zoning Ordinance with the Comprehensive Plan	Anne	TOC (Internal)	10 and 11																											
Work Sessions and Presentations	Anne		10 and 11																											
Further Zoning Ordinance Review and Changes	Cape Charles staff to comment, Anne to incorporate	Draft of Zoning and Subdivision Ordinance (Internal)	11																											
Complete all Edits and Present the Zoning Ordinance for Approval	Anne	Final draft of Zoning and Subdivision Ordinance	12																											

Next Steps.

1. Cleaning the document up (Formatting, etc.)
2. Public Meetings to review “final” draft
3. Begin Zoning Ordinance rewrite

Questions?

Contact: Katie Nunez at knunez@capecharles.org

For a physical or digital copy of the draft plan, visit the Town Hall or Town website.

DRAFT



DRAFT
TOWN COUNCIL
Public Hearing & Regular Meeting
Cape Charles Civic Center
October 20, 2022
6:30 PM

At approximately 6:30 p.m. Mayor William “Smitty” Dize, having established a quorum, called to order the Public Hearing & Regular Meeting of the Cape Charles Town Council. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O’Brien. Also, in attendance were Town Manager John Hozey, Planner/Zoning Administrator Katie Nunez, Police Chief Jim Pruitt, Special Assistant to the Town Manager Julie Pruitt, and Town Clerk Libby Hume. There were 9 members of the public physically in attendance, and 11 viewers on Facebook.

A moment of silence was observed followed by the recitation of the Pledge of Allegiance.

PUBLIC HEARING:

Mayor Dize announced that this evening’s public hearing was to receive comments regarding A) Zoning Text Amendment - Accessory Dwelling Unit Ordinance; and B) Zoning Text Amendment - Removal of Proffers from Several Parcels on Old Cape Charles Road.

A. Accessory Dwelling Unit Ordinance

There were no comments to be heard on this item nor any comments received in writing prior to the meeting.

B. Removal of Proffers from Several Parcels on Old Cape Charles Road

There were no comments to be heard. Town Clerk Libby Hume read an email submitted by Jody and Mark Bundy of 2510 Old Cape Charles Road. (Please see attached.)

There were no additional comments received in writing prior to the meeting.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to close the public hearing. The motion was approved by unanimous vote.

The public hearing was closed at 6:37 p.m.

RECOGNITION OF VISITORS / PRESENTATIONS:

There were no visitors to be recognized nor any presentations to be heard.

PUBLIC COMMENTS FOR ITEMS NOT SUBJECT TO THE ADVERTISED PUBLIC HEARING: (3 MINUTES PER SPEAKER)

Dianne Davis, Cape Charles resident

Ms. Davis addressed the Council regarding several items. (Please see attached.)

Roger Moyer, Cape Charles resident, representing the Library Board

Mr. Moyer stated that the Library Board was planning their 2023 Town Wide Read and solicited the names of books that had been made into movies. The movie would be shown at the Palace Theatre on February 5, 2023. Mr. Moyer added that the library was in good shape and offered a lot of good services.

Donna Onley Kohler, Cape Charles resident and business owner

Ms. Kohler addressed the Council regarding the proposed Town Hall building. (Please see attached.)

There were no additional comments to be heard nor any comments received in writing prior to the meeting.

CONSENT AGENDA

- A. Approval of Agenda Format
- B. Approval of Minutes:
 - i. September 8, 2022 Historic District Design Guidelines Public Forum
 - ii. September 15, 2022 Town Council Public Hearing & Regular Meeting
 - iii. September 15, 2022 Town Council Work Session
 - iv. September 15, 2022 Town Council Executive Session
- C. Approval of August 31, 2022 Financial Report

Town Manager John Hozey stated that something went wrong when the financial report was printed and the current year to date line item was blank on one of the pages. The current page was distributed to Council at the beginning of the meeting.

Motion made by Councilman Grossman, seconded by Councilwoman O'Brien, to approve the consent agenda items as presented. The motion was approved by unanimous vote.

UNFINISHED BUSINESS:

There was no unfinished business for review.

NEW BUSINESS:

- A. *Zoning Text Amendment – Accessory Dwelling Unit Ordinance (ZTA 2022-01):*
Planner/Zoning Administrator Katie Nunez stated that this was the second attempt to get Council approval on the Planning Commission's recommended amendments to the accessory dwelling unit ordinance. The Planning Commission held their public hearing on October 4, 2022 and no comments were offered. The Planning Commission discussed the proposed text amendments, and several additional changes were made. The Commissioners unanimously approved the recommendation for Council adoption of Zoning Text Amendment 2022-01.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to adopt ZTA 2022-01 as recommended by for amendment by the Planning Commission.

Mayor Dize read the complete text of Ordinance 20221020A Adopting Text Amendments to Cape Charles Zoning Ordinance Section 4.2 (J), Section 2.9 and Sections 3.1 (B), 3.2 (B), 3.3 (B) and 3.4 (B) Regarding Accessory Dwelling Units.

The motion was approved by unanimous vote. Roll call vote: Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes; O'Brien, yes.

- B. *Zoning Text Amendment – Removal of Proffers from Several Parcels on Cassatt Parkway:*
Katie Nunez stated that on November 13, 2008, the Town of Cape Charles agreed to conditionally rezone a portion of then Tax Map #90-3-A, comprising of 33.195 acres off of Old Cape Charles Road and more commonly identified as the Keck Property with proffers. The rezoning change on the left side of the property went from R-E to R-3 and the right side of the property remained R-E and was deeded to the Town. The proffers were recorded on December 31, 2008. The parcel on the left side, referred to as Tract A, was sold on June 13, 2016 from Allan and Gail Keck to General Builders, LLC. A further subdivision of Tract A was approved by the Town on January 30, 2017 which created four one-acre lots and a remainder or residual parcel of 11.5 acres. The proffers were above and beyond the normal zoning requirements and had proven to be problematic and cumbersome. The Town had been in discussions with a representative of Lot 4 Holdings, LLC, who was conducting due diligence relative to the purchase of the remainder or residual lot of 11.5 acres, now identified as Tax ap 90-19-A. Mr. Lance Marine indicated an interest in a workforce housing development, and issues or elements that must be addressed in order for such a project to proceed successfully were identified. The proffers that covered this property were proving to be an impediment to move forward and a letter was provided outlining the project intentions. Staff had spoken with our attorney to ascertain the process to remove or

amend the proffers and were advised that following an advertised public hearing and with concurrence from the current legal owners of the land affected by the proffers, the Town could amend and/or repeal the proffers. The current owners of the land were: Town of Cape Charles, General Builders, LLC acting through its principal representative Angelo Manuel, and CEM Investments, LLC. Based on conversations, it was the understanding of staff that all current owners would be supportive of removing the proffers. There had also been a conversation with the original owners, the Kecks, and they would pose no objection to the removal of the proffers from all of the land originally covered by the proffers.

The Planning Commission held their public hearing on October 4, 2022 and received public comments from Jody and Mark Bundy. A similar statement from the Bundys were read into the record during this evening's public hearing.

The following clarifying information as a result of ongoing conversations with the developer regarding the project was provided to the Planning Commission: i) the 11.5 acres owned by General Builders, LLC had been the focus of the workforce housing concept project; ii) the developer had done a very preliminary draft sketch of what the building housing studio/apartment units would look like including built in furniture such as kitchen table, desk, etc.; iii) a number of items had been discussed such as the minimum square footage requirements in our ordinance (960 sq. ft) might be too large for this type of development and the need to consider a smaller square footage. Also discussed were the height limitations and possibility of looking at taller buildings, the total density of development that could occur on the land versus any proffer limitations; iv) discussed at length the Town's water and sewer capacity and what infrastructure was available to the property at this point and the Town's capital planning for addressing water and sewer. The adjacent property was owned by the Town and housed the Keck Well which has been permitted and incorporated as part of the Town's Water Permit for the town wells. It had not been connected to the water plant but was included on the Town's capital plan for connection by Fiscal Year 2024. A vote was taken to assign an already engineered wastewater line to the developer to use for obtaining construction cost estimates and to allow the Town and the developer to enter into more solid discussions about cost sharing regarding wastewater line expansion to this property; v) discussed the development of a PUD Ordinance that would specifically define workforce housing, density, height, unit square footage for both unit and total building size, and the need to identify two types of uses that would occur on the property as stipulated by our ordinance.

Councilman Grossman stated that the proffers also hampered the Town's position and ensuring they had a flexible a position on the property owned by the Town to evaluate how best to use the land, adding that there was no current discussion with the developer concerning the Town-owned lot.

Access to the 11.5-acre parcel must be from Cassatt Parkway with the Old Cape Charles Road access to be utilized as a secondary, emergency vehicle access only. This was in the initial conversation with the developer and VDOT.

The Commissioners recommended Council approval to remove the proffers originally accepted and approved on November 13, 2008 and further identified as part of the Keck Property Rezoning by the Town and recorded in the Northampton County Clerk of Courts office as Instrument #090002549 since the proffers were inhibiting consideration and development of a workforce housing proposal which was one of the Town's strategic goals. Said proffers would be removed from the following parcels: 90-19-B, 90-19-A, 90-29-3, 90-29-4, 90-29-2, and 90-29-1.

Motion made by Councilman Grossman, seconded by Councilman Follmer, to adopt Ordinance 20221020B Adopting Text Amendments to Cape Charles Zoning Ordinance Removal of Proffer Statement of the Keck Property Rezoning on the six parcels as discussed.

There was discussion as follows: i) Councilman Grossman wanted to answer questions that were raised about the Town's property adding that this was a future developable parcel, and the Town was not in any discussion with Mr. Marine regarding this parcel. Removal of the proffers from that parcel provided flexibility with future opportunities; ii) Katie Nunez stated that she had a conversation earlier today with Mr. Marine who would immediately begin working to close on the property. He would also begin work on the legal portion of the PUD Ordinance, conceptual plan, site plan and site layout which would be done by the end of November and submitted to the Town for consideration. It was tentatively scheduled for review at the December regular meeting for Council review and input and the possibility to authorize staff to schedule a public hearing in January; iii) Councilman Grossman added that the developer could not move forward with any type of work on the land until the items noted by Ms. Nunez had been completed; iv) Vice Mayor Bennett stated that the Bundys had some good points and the fact that the property would be in a PUD allayed some of his concerns. He asked about the type of buffer that would be included in the PUD Ordinance; v) Katie Nunez stated that the zoning ordinance contained regulations related to buffers. The buffers that were in the proffer were an entire additional layer in addition to what was required in our zoning ordinance. Since Preserve Communities changed some of the land designations of abutting parcels identifying them for preservation, there was no longer a chance for that tree stand to be eliminated. The 11.5 acres were proposed for subdivision and a new road would be built as part of that subdivision. The Town still had leverage related to this development since the developer needed water and sewer; vi) Vice Mayor Bennett stated his appreciation that the primary entrance was required to be off Cassatt Parkway but asked what constituted a secondary entrance. Katie Nunez replied that she had spoken with VDOT and they would not approve the use of a primary entrance on Old Cape Charles Road. A secondary entrance was to be used for emergency vehicles only. VDOT dictated the entrance sizes. There were still a number of hurdles to overcome such as traffic studies, etc.; vii) Councilwoman O'Brien asked about the number of units. Katie Nunez responded that the first phase consisted of 2 acres and would have 64 apartment-style units with smaller square footage in a multi-tiered building. The developer was looking for about 300-350 square feet per unit.

Mayor Dize read the complete text of Ordinance 20221020B Adopting Text Amendments to Cape Charles Zoning Ordinance Removal of Proffer Statement of the Keck Property Rezoning.

The motion was approved by unanimous vote. Roll call vote: Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes; O'Brien, yes.

C. Resolution of Intent – Zoning Ordinance Text Amendment to Section 4.5-Off Street Parking and Loading Standards:

John Hozey stated that last month, when Council discussed the parking lot for the municipal center, it was noted that there was nothing in the zoning ordinance that took golf cart parking into consideration. It was also recommended that Section 4.5.C related to shared parking include language for dual use facilities which would benefit potential future development. The Town zoning ordinance and the Virginia Code 15.2-2286 (A) (7) required a resolution of intent from the governing body to initiate any change to a zoning ordinance or zoning map.

Motion made by Vice Mayor Bennett, seconded by Councilwoman Holloway, to adopt Resolution of Intent 20221020 Zoning Ordinance Text Amendment to Section 4.5 Off-Street Parking and Loading Standards.

Mayor Dize moved for adoption of Resolution of Intent 20221020 as noticed and forewent reading of the Resolution.

The motion was approved by unanimous vote. Roll call vote: Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes; O'Brien, yes.

D. Amendment to Policy for Electronic Participation in a Town Council Meeting:

Town Manager John Hozey stated that this was mostly a housekeeping item. When the Code of Virginia was changed, we were also required to update our policies as well to adopt the recent changes. The only changes to the Electronic Participation in Town Council Meetings Policy were the references to the appropriate sections of the Code of Virginia and the addition of section 1.C regarding the distance from the elected official's residence to the meeting location. This did not apply to the Town but was included since it was added to the Code of Virginia section.

Motion made by Councilwoman Holloway, seconded by Councilman Grossman, to adopt the amended Town of Cape Charles Electronic Participation in Town Council Meetings Policy. The motion was approved by unanimous vote.

E. Reappointment of Wetlands & Coastal Dune Board Member:

Motion made by Vice Mayor Bennett, seconded by Councilman Buchholz, to reappoint Mr. Bob Roche to the Wetlands and Coastal Dune Board for another term. The motion was approved by unanimous vote.

F. Downtown Restroom Design:

John Hozey stated that Council previously reviewed the plans for the downtown restroom and requested a different roof design to make the appearance more like a train station. The request was forwarded to the architect. The architect found out that Cape Charles Main Street (CCMS) planned to renovate the train car for a Welcome Center, etc. and contacted the Town regarding possibly expanding the restroom building to include a Welcome Center since there would be major work required to renovate the train car for any public use. He took the idea first to CCMS since it involved a change to their Welcome Center project. The CCMS Board supported the concept as long as it did not delay the opening of the restroom facility.

The estimated cost for the restroom facility was about \$195K of which \$150K was budgeted. CCMS obtained \$54K through grants, making the budgeted amount \$204K. To expand the building for a Welcome Center and CCMS office would add \$275K. If Council felt the expanded project was worth pursuing, we could use the remaining ARPA funding. We had about \$300K remaining and this would be an appropriate use. CCMS was also still trying to find additional funding sources.

There was some discussion as follows: i) Councilwoman Holloway added that one of her roles was serving as the Cape Charles representative to the Eastern Shore of Virginia Tourism Commission (ESVTC). She mentioned this expanded project and several of the committee members expressed their willingness to support funding of about \$100K towards the project. She had also been working with Northampton County on the Tourism Infrastructure Grant, and due to the amount of transient occupancy tax revenue from the Town, she felt that CCMS could acquire some funding from that grant as well; ii) The facility would be located between the train car and Strawberry Street Plaza. Staff still needed to have discussion with Canonic Railroad about increasing the footprint. Canonic Railroad had agreed to the space for the train and restroom facility, but this expanded project would require more space; iii) CCMS would move their office and a meeting room to this facility which would save them about \$12K annually for rent and utilities. We would then have a visitors' center that would be managed throughout the year; iv) the utilities were close in proximity to the planned site so the cost to connect would be minimal; v) Councilman Grossman expressed his concerns related to the increased cost. He was hesitant to use the remaining ARPA money with the municipal center project also in the works. He felt that the \$5M estimate for the municipal center building was unrealistic and any additional funding we had needed to be reserved for the municipal building as a priority. An additional \$50K for the restroom facility would not be an issue but \$275K had him very concerned; vi) John Hozey agreed that the municipal center was the #1 priority. He and Treasurer Deborah Pocock discussed the funding options and felt that use of the ARPA funding made sense. We had other options available. Council had set certain goals for reserves, and we had exceeded those goals,

and had \$745K available in the General Fund reserves. This year, we had a \$147K surplus which we allowed to go to the Fund Balance. We did not spend the entire 6% which was allocated in the Capital Improvement Fund and had \$82K unspent. All that totaled almost \$1M; vii) Vice Mayor Bennett stated that Cape Charles always ended up not doing things that were needed. We needed to start doing things that would reflect who we were. This was a good step. We had a restroom in Central Park that looked like a pump house. He understood Councilman Grossman's concerns, and he had concerns of his own, but we needed to move forward with this project; viii) Mayor Dize stated that CCMS had gone after and obtained many grants to improve the business district and the Town as a whole. He had no doubt that CCMS would not continue to obtain grants. He agreed that it was a lot of money, but he supported the betterment of the Town; ix) There would be discussion regarding the funding during the mid-year budget review; x) CCMS would immediately move forward with applying for the Northampton County Infrastructure Grant.

Motion made by Vice Mayor Bennett, seconded by Councilman Follmer, to approve the concept to include a visitors' center in the downtown restroom building. The motion was approved by majority vote with Councilman Grossman opposed.

TOWN MANAGER COMMENTS

John Hozey commented as follows: i) He spoke to VDOT about sidewalk repairs and they now had a schedule. A crew was in town and marked selected sidewalks with white paint. Those would be replaced. They would begin the repair/replacement project the week of October 31; ii) With the help of Virginia American Water, we were making very good strides at the wastewater treatment plant. The oxygen and ammonia numbers looked much better and making progress overall. Their oversight was just what we needed; iii) The Comprehensive Plan Joint Work Session was one week from tonight. He made a plea to the Council to review the draft Comprehensive Plan and submit their comments by next Monday, October 24th. This was one of the most important documents for the Town and no comments had yet been submitted by the Town Council

MAYOR AND COUNCIL COMMENTS

Councilman Follmer commented as follows: i) The public lot at Fig Street and Randolph Avenue had been cleaned up of signs, but they were creeping back in. Oyster Farm, Farmer's Market, and a number of other signs had been placed back on the lot over the past several weeks; ii) As a placeholder for future discussion, someone pointed out to him the proliferation of 2' x 2' sized signs all over town for vacation rentals. What was the purpose of those? The properties were listed online and people booked them online. No one rode around town to look at a house prior to booking it. It wasn't good for the aesthetics of the town and needed to be addressed. John Hozey noted that the issue was on our radar for review to be addressed in the zoning ordinance. The issue was that a supreme court decision was made that sign content could not be regulated. Katie Nunez added that the entire sign section of the zoning ordinance needed to be updated.

Councilman Grossman commented as follows: i) He needed to correct the record of a statement that he made last night at the Candidate Forum. He had been married for 48 years this month; ii) When preparing for the Candidate Forum, he came across a bill submitted to committee by Senator Desteph relaxing the ordinance for short term rentals, including removal of the parking requirement. This bill needed to be followed in the General Assembly and needed to be included as a item in the Town's request; iii) He was organizing a "Coffee With Katie" for Saturday morning, October 29th, for citizens to come meet with Katie Nunez to learn more about the future land use map and its purpose. The meeting will be after the October 24th comment deadline for the Comprehensive Plan but before the public hearing.

Councilwoman O'Brien stated that she had previously asked to schedule a summer season debriefing with business owners and staff of what worked and what didn't work over the season and asked about the status off this meeting, adding that she would like Chief Pruitt to also be in attendance. John Hozey stated that a meeting had not been scheduled as September, October and November were very busy with meetings trying to finalize a number of important projects, and he was not certain of the

purpose of the meeting and who to include. Councilwoman Holloway added that CCMS Connect meetings were held monthly with business owners and it might be a better forum to invite Council and staff members to discuss these issues. The business owners were already aware of this monthly meeting versus trying to schedule a separate Town Hall style meeting with the Town. Mayor Dize suggested having John Hozey obtain feedback from staff to provide to Council in a weekly report. Mayor Dize asked Councilwoman O'Brien to work with CCMS Executive Director Karen Zamorski regarding this meeting.

Vice Mayor Bennett stated that he had the opportunity to attend the Virginia Municipal League (VML) Mayor's Conference and Annual Conference last month, along with Councilman Grossman, Councilwoman Holloway and John Hozey. It was a great opportunity to meet and talk with other elected officials from various localities across the state to compare and discuss issues. He encouraged everyone to attend in the future.

Councilwoman Holloway commented as follows: i) She attended a session at the VML Conference regarding short term rentals. All localities were going through similar issues, the biggest were parking and trash-related; ii) She thanked Ms. Donna Onley Kohler for her comments this evening which would be taken in to consideration for the visitors' center and needed to be addressed related to the new Town Hall; iii) She thanked the Planning Commission for their endurance and perseverance on the accessory dwelling unit ordinance. They did a lot of work on this ordinance which was appreciated; iv) She was excited to see the VDOT street sweeping under way; v) As stated earlier, she was the Town's representative to the ESVTC and was excited to see the latest report which showed that Northampton County was leading the state in growth from 2019 to 2021. She distributed the entire report and asked that it be included in the minutes. (Please see attached.)

Councilman Buchholz expressed his concurrence with Ms. Dianne Davis' comments about Libby Hume. She did a tremendous job, especially over the last few weeks. He also thanked Ms. Davis for commenting that there was more to Cape Charles than the business district. People needed to remember that Cape Charles was a historic town but there were also other areas as well.

Mayor Dize commented as follows: i) He was walking his dog along Peach Street and noticed a little piece of brick in the grass. He dug down some and found a sidewalk buried in the grass. He knew that Ms. Claudette Lajoie and Ms. Kathy Fraas found sidewalks on their properties under the grass as well. There were probably other areas that had old sidewalks that were buried. If they could be located and uncovered, VDOT might repair them. VDOT would not install new sidewalks but would repair existing ones if needed.

Mayor Dize read the announcements. The Town Council Work Session date was listed incorrectly on the agenda. It was scheduled for November 28, 2022, not the 27th.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to adjourn the Town Council Public Hearing & Regular Meeting. The motion was approved by unanimous vote.

The Public Hearing & Regular Meeting adjourned at 8:20 p.m.

Mayor Dize

Town Clerk

**October 20, 2022 Town Council Public Hearing & Regular Meeting
Comments and Information Provided in Writing**

Jody and Mark Bundy, 2510 Old Cape Charles Road

Subject: Proffer Agreement of 2008/Request to Vacate Workforce Housing/Bay Crossing Development

Dear Mayor Dize, Vice Mayor Bennett, Councilman Buchholz, Councilman Follmer, Councilman Grossman, Councilwoman Holloway and Councilwoman O'Brien,

RE: Proffer Agreement of 2008/Request to Vacate Workforce Housing/Bay Crossing Development

My husband and I have lived at 2510 Old Cape Charles Road since the early 1990's. We have witnessed many "developers" arrive to the shore with mighty plans and promises and we tend to open our arms to them. And sadly, we all know many that we wish we had vetted more. Dickie Foster was the exception. He had a plan that included landscaping, abundant trees, property set backs and a dark sky concept.

The deal in 2008 with the 15.611 acres (90-19-A; 90-29-4, 3,2 and 1) between the Keck's and the Town was a sad day for the surrounding rural neighborhood. To increase the density from RE (low) to R-3 (high density) in exchange for 17+ acres for a deep well was, in our opinion, too extreme. R-1 would have been more conforming. This density only helped the Keck's in the planned sale of their property and should never have happened. This is history now. But at least they did consider the rural surroundings with the proffers they put in place. ***Removing these proffers only tells us we are of no concern to the Town.***

This same 15.611 acres was purchased by Angelo Manuel, General Builders, LLC. And the sad story continues. Mr. Manuel was permitted to break ground on one of his four planned "quad-plex" buildings without water and sewer. This is a real head scratcher? As a homeowner, we would never be able to break ground until these permits were secured. Furthermore, Mr. Manuel was able to sell this one building recently, and still no water and sewer! The new owner, Crysta Mansfield (CEM Investments, LLC) is not complying with the dark sky concept. How would you like to live across from this? See first photo attached.

In late September, my husband and I heard rumors of work force housing slated for the remaining property owned by Mr. Manuel. We paid a visit to Town Manager, John Hozey to see the plans. There were **no plans!** We were told this was in the early stages and that Mr. Lance Marine was great, and wanted to help our Town by building the very needed housing. Only a week before the October 4th Planning Commission meeting, we received a packet in the mail with a letter from Mr. Marine.

Here are our concerns:

We know nothing of Lance LJ Marine, except that he is a managing partner of Winmar, a commercial real estate company. According to Ms. Nunez at the Planning Commission, he is vested in our community - He owns a home and adjacent lot in Bay Creek. We learned he has been talking with the town since April. Mr. Marine has an option on this tract of land but he wants **all the proffers removed such as the 100' setback and vegetative buffer!** All of these would probably fit right into the Northern Virginia area that he is familiar with but this does not comply with what the Eastern Shore is all about. Currently, he can build 84 units on this property for work force housing. Does he want to challenge this density as well? This is a grey area in his letter and we are definitely being kept in the dark with no plans. All we know is he wants to build up and out, and all the way to the boundaries. We need to see this before we allow it.

His letter states that "this requirement present(s) a financial hinderance" to him. We found this offensive and ridiculous. He will be receiving Federal and State grants to build this housing and the Town will be giving him water and sewer. We assume also that he will own the apartments.

Mr. Marine also made the statement "It Takes A Village" but he neglected to consider the neighbors that have been vested for years in our community and own property close by. Mr. Marine lives back in a gated community and will not be affected by this nor will my husband and I. But we care and we know others that will be impacted, not to mention, the visual from Cassatt, Old Cape Charles Road and adjacent neighbors. Please consider the street view of the William Hughes Apartments, Section 8 housing on Rt. 13. It is well done and attractive from the road due to good planning, setbacks, landscaping and density restrictions. See second photo attached.

We also question why the 17.751 acres of the town property are in this deal? Why would we remove proffers on this valuable Town Property? The Town should retain this for the future. Fifteen years is a long time. Or has another agreement been made with Mr. Marine? Perhaps this is where he plans to put the EV charging station. This **should** be put out to bid, and the Town should own it and profit from it - not an outsider.

I beg each of you to **revisit this entire application** and **demand a full Conceptual Plan**. So far, all we know about Bay Crossing is there will be firepits, community barbeques, a fishing pier at the storm water pond and a trail to Main Street...(sounds like another "pipe dream" - who will maintain it?)

Please:

- Demand a Conceptual Plan.
- Do not increase the density beyond 84 homes. (Consider our limited water source.)
- Do not remove any proffers that are on the Town owned 17.751 acres at this time. Retain this as is for your Town and the future.
- Guarantee that all construction will ingress and egress from the new entrance on Cassatt Parkway (642). Old Cape Charles Road is in bad shape since the construction of Bay Creek. It is too narrow and dangerous.
- Make stipulations that all lighting will comply with the dark sky concept.

We truly thank you for your service on the Town Council. Our future development is in your hands.

Sincerely,
Jody and Mark Bundy



Dianne Davis, resident of the Town

Mr. Mayor, members of the Town Council, Town Clerk and Town Manager. I am Dianne Davis of Jefferson Avenue. Resident.

Good evening,

This is just a reminder

The town of Cape Charles consists of the Main Street Project (mostly Mason Avenue), the beach front (Bay Avenue), plus from Fig Street to Pine Street, and from Randolph Avenue to Washington Avenue. Spometimes I feel that some people forget that these other areas of the town have needs also.

Suggestion

In talking to Chief Pruitt about a concern dealing with street safety, he mentioned soe things that we had not thought about. I would suggest that the manager and Council consult with the Chief of Police about street safety needs of the town from time to time. Our police officers are the ones patrolling the streets daily day and night and would see more as to what the needs are.

Thank You

I would like to thank our town clerk, Mrs. Hume, for all the hard work she does. She has a never ending job and I can attest to that from experience.

We have had two "Meet the Candidates" forums and she has been doing an excellent job videotaping so that the persons not in attendance could see and hear from their homes what the candidates had to say. I hope that she does get extra compensation for doing those tapings.

Thanks for listening.

Donna Onley Kohler, resident and businessowner in Town

My name is Donna Kohler and I live on Tazewell Avenue.

I am here to comment on the proposed plans for a new Town Hall. I ask the Town Council and Town of Cape Charles to include non-gender bathrooms. We serve a diverse community and by community I mean our employees, residents, visitors, contractors, consultants – who will use these bathroom facilities.

I am not here to make this a trans issue, although I am an extremely proud parent to a non-binary child. The addition of non-gender bathrooms makes sense for the diverse populations this building will serve.

There are many times a person needs privacy – whether they don't feel well, they need to nurse their child or pump, to help a child of the opposite gender, help someone with mobility issues, change a baby's diaper. Sometimes a person just wants a few minutes without others coming and going.

Since we are building from the ground up, we should be proactive and include all we serve.

I thank you for your time.

From Councilwoman Holloway – Virginia Tourism Corporation Report, September 2022

Report from VATC

September 2022

Economic Impact

- Northampton County had an increase of 65.9% in visitor expenditures from 2020 to 2021 – \$41.2M to \$68.3M. 2021 expenditures surpassed expenditures from 2019 - \$68.3M and was \$48.5M.
- Northampton County was the fastest recovering locality in the Commonwealth from 2019 to 2021 at 40.9%
- More than \$2.5M in local tax receipts in 2021.
- 376 jobs in 2021 in Northampton County; up from 310 in 2020.

VIRGINIA IS FOR LOVERS

October Updates from Laura Messer for ESVATC

Economic Impact

- Northampton County was the fastest recovering locality from 2019 to 2021 at 40.9% and totally, Coastal Virginia-Eastern Shore spending was up 29% from 2019 with both of its localities fully recovered.

Locality	2021 Direct Impacts						
	Direct Visitor Spending, 2021 (in millions)			Employment	Labor Income (in millions)	State Taxes (in millions)	Local Taxes (in millions)
	Total Spending	Total Spending % Change (2021/2020)	Spending Share of State				
ACCOMACK	\$168.5	42.6%	0.67%	1,291	\$36.2	\$3.7	\$6.4
NORTHAMPTON	\$68.3	65.9%	0.27%	376	\$10.5	\$1.6	\$2.6
Regional Total	\$236.8	48.6%	0.9%	1,666	\$46.7	\$5.3	\$8.9

Historical Data

Locality	Direct Visitor Spending (in millions)							
	2017	2018	2019	2020	2021	Percent Change (2021/2020)	Percent Change (2021/2019)	Share of State (2021)
ACCOMACK	\$123.0	\$126.3	\$134.7	\$118.2	\$168.5	42.6%	25.1%	0.7%
NORTHAMPTON	\$42.4	\$44.6	\$48.5	\$41.2	\$68.3	65.9%	40.9%	0.3%
Regional Total	\$165.5	\$170.9	\$183.2	\$159.4	\$236.8	48.6%	29.3%	0.9%

VTC Orientation

Fall orientation registration is now open. Dates are Oct. 25-27 from 9 a.m. to noon each day. Orientation is free.

<https://www.vatc.org/partnershipmarketing/orientations/>

VTC Digital Marketing

Link to share: <https://www.virginia.org/plan-your-trip/seasons-and-climate/fall/fall-foliage-report/> The downloadable PDF may be a fun link to share on social media and in your newsletters since Virginia is one of the most fall obsessed states! (<https://www.tripstodiscover.com/us-state-fall-spirit-ranked/>)

Top Performing Blogs

- Week of Sept. 12 and Sept. 28 features Kiptopeke State Park
The Top Spots to View Virginia's Colorful Foliage Throughout the Fall
<https://blog.virginia.org/2018/10/top-spots-colorful-foliage/>
- Week of Sept. 28 features Cape Charles Distillery
The Complete Guide to Bourbon & Whiskey Distilleries in Virginia
<https://blog.virginia.org/2019/03/bourbon-whiskey-distilleries/>
- Week of Sept. 28 features Wachapreague and multiple partners
Virginia's Most Stunning Fall Towns & Destinations
<https://blog.virginia.org/2014/09/falldestinations/>

Articles

"6 Must-Visit Virginia Destinations You Can Get Into for Free"

<https://vadogwood.com/2022/10/05/6-must-visit-virginia-destinations-you-can-get-into-for-free/>

LIST: Here's when and where fall foliage will be the best across Virginia

<https://www.wric.com/news/virginia-news/list-heres-when-and-where-fall-foliage-will-be-the-best-across-virginia/>

The Last Ride of Legend, a Pony Who Lived Up to His Name

<https://www.outsideonline.com/culture/essays-culture/last-ride-chincoteague-pony-legend/>

10 Of The Most Beautiful Towns In Virginia You Should Visit

<https://www.thetravel.com/beautiful-towns-in-virginia/>

Raise a glass to Virginia Wine Month with these world-class favorites

<https://www.pilotonline.com/food-drink/columns/vp-db-frank-morgan-wine-month-101222-20221011-3ffgh2npl5fk5iuprzgb67abrq-story.html>

DRAFT



DRAFT
TOWN COUNCIL & PLANNING COMMISSION
Joint Work Session
Cape Charles Civic Center
October 27, 2022
6:30 PM

At 6:30 p.m., Mayor William “Smitty” Dize, having established a quorum, called to order the Work Session of the Town Council. In addition to Mayor Dize, present were Vice-Mayor Bennett, Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O’Brien. Staff in attendance were Town Manager John Hozey, Planner/Zoning Administrator Katie Nunez, and assistant to the Town Manager Julie Pruitt. Ann Darby and Michael Stapor from Summit Design and Engineering Services (“Summit”) were also in attendance. There were no members of the public in attendance.

Chairman Bill Stramm, having established a quorum, called to order the Work Session of the Planning Commission. In addition to Chairman Stramm, present were Commissioners Paul Grossman, Jim Holloway, Dennis McCoy, and Michael Strub. Commissioner Kenneth Butta was not in attendance. There was one vacancy on the Commission.

The purpose of the joint work session was to review and discuss the draft Comprehensive Plan and the comments received.

Planner/Zoning Administrator Katie Nunez began by stating that the Historic District Overlay map needed to be reaffirmed by the Town Council as the official map. Staff had researched the Town Council minutes and found where a map had been adopted, but there was no evidence as to the actual map nor any reference to the boundaries of the Historic District Overlay area. All in attendance were in agreement with the boundaries of the Historic District Overlay as shown on the map.

Katie Nunez went on to begin the review of the comments received. (Please see attached.) The Town received a great response from the Planning Commission, Town Council and citizens. Items shown in green would not be discussed this evening since they referenced items that would be revised by Summit.

There was much discussion regarding the Future Land Use Map. Due to the time, it was agreed to continue further review and discussion of the Future Land Use Map on November 9th which was the date originally set aside for the joint public hearing regarding the Comprehensive Plan and Planning Commission special meeting. The work session would be scheduled immediately following the Planning Commission’s regular meeting. The joint public hearing would be pushed to December 6th with a goal for adoption at the December Town Council meeting.

Motion made by Commissioner Stramm, seconded by Commissioner McCoy, to adjourn the Planning Commission Work Session. The motion was approved by unanimous vote.

Motion made by Councilman Buchholz, seconded by Councilwoman Holloway, to adjourn the Town Council Work Session. The motion was approved by unanimous vote.

The joint work session was adjourned at 9:05 p.m.

Mayor William “Smitty” Dize

Chairman Bill Stramm

Assistant to the Town Manager

Chapter	Page	Comment/ Observation	Comment From
WHOLE DOC		BRAVO! This plan is amazingly well thought out and presented. And, overall makes me very comfortable about where our town is headed. Cheers for promoting a business friendly environment. I'd love to see the barriers to opening new businesses lowered and the process streamlined. I hope TOCC and CCMS can work together on this	Patsy Harris
WHOLE DOC		Formatting/structure should be standard throughout. e.g. Area Specific Policies section has bullets instead of numbers	Andrew Follmer
		OVERALL comment: the objectives and strategies sections need a header as to what these objectives and Strategies are for (such as include Chapter heading they are located in).	Tammy Holloway
WHOLE DOC		Photos: Full page, color photos are interspersed throughout the Draft. They have no caption and do not relate to the text at hand. In some cases, the photos show negative aspects of the town. In short, they do not assist the target audience as identified in the target audience description i.e., "The Town Council, Planning Commission, and Town staff" (Executive Summary, p. 5) in doing their job.	Michael Strub
GENERAL COMMENT		As you head toward the formal public hearing it would be good to highlight major changes from the current comprehensive plan, especially as it relates to the Land Use map.	Sam Jones
EXECUTIVE SUMMARY	5	Line 3, add "to" prior to "understand"	Jim Holloway / Bill Stramm
EXECUTIVE SUMMARY	5	Not an EXECUTIVE SUMMARY; An Executive Summary would be about 6-8 pages and address the most important content. This content would be repeated in the body of the report. Executive Summary is for people (eg. executives) who do not have time to read the entire report. 3 rd line of 2 nd paragraph, insert "to" between plan and understand.	Michael Strub
TOC	TOC	Intro should be followed by Context (to include Regional Setting, CC history and Town Government), Public Input (to include Process for Plan Development and Adoption), Vision, Goals & Objectives, and then Demographics.	Paul Grossman
		Add Capital Improvement Plan for the Town, possibly as an Appendix item	Bill Stramm
INTRODUCTION	13	Observation - <i>Virginia's Code §15.2-2239 states that the Town Council may direct the local Planning Commission to prepare and update a Capital Improvement Plan every 5 years that reflects the community's needs.</i> True statement and no changes proposed. Although code uses word 'may', what is our intent to engage PC review of town's draft capital plan in the future before going to TC during budget reviews?	Paul Grossman
INTRODUCTION	13	Grammatical suggestion - <i>There are also many plans and further studies mentioned within this Comprehensive Plan and these will need to be undertaken and aligned with the Plan to ensure its implementation and achieve its goals.</i> Or separate into two sentences.	Paul Grossman

Chapter	Page	Comment/ Observation	Comment From
INTRODUCTION	13	Observation - <i>The final chapter of the Plan sets forth an implementation matrix including details concerning necessary actions and responsibilities for implementing the goals and objectives of the Plan.</i> This final section is missing so how will we or the public comment on it?	Paul Grossman
INTRODUCTION	13	Relationship to Other Plans The Comprehensive Plan works in conjunction with other Cape Charles plans and ordinances, some of these include <u>the Community Strategic Plan</u>, the Zoning and Subdivision Ordinance and the Capital <u>Asset Management Plan (CAMP) Improvement Plan</u>. The Zoning and Subdivision Ordinances are two sections of the Cape Charles town code that are direct regulations for the location, form, and character of private development. The Comprehensive Plan gives guidance and ultimately should influence updates to these ordinances to ensure that the goals in the Plan get implemented in a timely manner. This allows the Town Council or the Planning Commission to review a project for compliance with regulatory standards and meets the vision embodied by the Comprehensive Plan. Capital Improvement Plans <u>(like the CAMP)</u> are fiscal management tools used to plan for the location, timing, and financing of a community's capital improvements over time. Capital Improvements are major, non-recurring physical infrastructure or equipment that requires funding. Virginia's Code §15.2-2239 states that the Town Council may direct the local Planning Commission to prepare and update a Capital Improvement Plan every 5 years that reflects the community's needs. The Comprehensive Plan can help guide the <u>CAMP Capital Improvement Plan</u> and make sure the Town's vision and priorities are aligned. Cape Charles is part of the regional Accomack-Northampton Planning District Commission, features roads maintained by the Virginia Department of Transportation, and other agencies that plan in relation to the Town. This Plan should be utilized in ensuring Cape Charles vision is aligned with any plan that may affect the locality. There are also many plans and further studies mentioned within this Comprehensive Plan, these will need to be undertaken and aligned with the Plan to ensure its implementation and achieve its goals.	John Hozey
INTRODUCTION		There is no mention of the county comp plan. We should acknowledge and assess their compatibility, especially given there are recommendations that require collaboration with the county. I think the only explicit mention of the county plan is on p. 140.	Andrew Follmer
DEMOGRAPHICS	16	Grammatical - <i>Population projections for the Town are not available from major sources of population projections, such as the U.S. Census Bureau, that calculate population projections only for cities, counties and states.</i>	Paul Grossman
DEMOGRAPHICS	16 /17/18	POPULATION: From 2010 – 2020 the fulltime population growth is stated as +16.7%. Has the impact of the “pandemic” been considered? If the census was taken in 2022, would the increase be as high, or have “full time” residents possibly returned to their primary (non-Cape Charles) residences? Age (p17): Very important statement: “The town needs to attract younger generations in order to provide a complete social structure that can sustain itself into the future.” Families (p18): ????	Lisa Guzzardo
AGE DISTRIBUTION	17	First column should be by years in time and not age	Jim Holloway

Chapter	Page	Comment/ Observation	Comment From
		Fig 3 Shows a significantly higher than average Cape Charles population between ages 60 and 80. It shows a less than average percentage in the 50-59 age group. Should reference 60-80 group rather than 50-80.	Michael Strub
		Sentence 2: Over 60% of the population in Cape Charles is over 50 years old while only 33+% of Virginia's population is 50 or older.	Bill Stramm
		Last sentence of Paragraph 1: "each in the 20-39 age cohort as compared to 26% of Virginia's population in this cohort.	
EDUCATIONAL ATTAINMENT	19	Add: The population of Cape Charles features higher educational attainment in comparison to the surrounding ...	Bill Stramm
POVERTY	19	<i>Applicants must meet certain income (e.g., maximum combined income, if married, cannot exceed \$25,000) and health status substantiations.</i> TC just adopted changes. Need to review against limits to see if changed.	Paul Grossman /Ellen O'Brien
		Mentions 16% of the population then in next sentence is states 21.1% but also says it is the same – what is correct here?	Bill Stramm
REGIONAL SETTING	20	Regional setting - <i>a population of approximately 1,000 residents</i> , Should use more current census number	Paul Grossman/Bill Stramm
REGIONAL SETTING	20-21	Include the barrier islands in the outlined area for Northampton County.	John Hozey
CAPE CHARLES HISTORY	22	Grammatical -1 ST PARAGRAPH, MIDDLE OF PARAGRAPH: <i>20thcentury – NEED SPACE BETWEEN 20TH AND CENTURY</i>	Paul Grossman/Bill Stramm
CAPE CHARLES HISTORY	22	At the end of the first paragraph of "Cape Charles History", I do not think "frozen in time" is the right description, and might be offensive to those who lived here at the time	Andrew Follmer
TOWN GOVERNMENT	23	first paragraph, 2 nd sentence remove “ By an elected” , redundant as later it says elected.	Tammy Holloway
PROCESS FOR PLAN DEVELOPMENT AND ADOPTION	23	add a "Circa date" for the photo	Jim Holloway
COMMUNITY ENGAGEMENT	27	Public Recycling should be a priority: Why doesn't Cape Charles have recycling? I've heard "Oh, it costs too much" well, at some point we need to pay for it. Period. Waste management improvements and taking care of our planet are not free. Are there grants we could get or plans to add recycling to the Town Budget?	Mollie Pickron
VISION	31	The vision statement does not agree with page 30.	Paul Grossman/Tammy Holloway/Bill Stramm/ Lisa Guzzardo/ Sam Jones

Chapter	Page	Comment/ Observation	Comment From
VISION	31	The community values and vision statement were developed for the Town of Cape Charles Community Strategic Plan adopted in 2021. That Strategic Plan was developed as a prelude to and to inform the development of this Comprehensive Plan. Going forward, the Community Strategic Plan will add specificity to goals and objectives <u>of this Comprehensive Plan</u> . for Cape Charles.	John Hozey
VISION	31	Substitute “Acceptance” for “Tolerance. Tolerance suggest something is “put up with” (I’ll tolerate your behavior, I tolerate my mother in law). Like our unisex bathrooms, we are demonstrating inclusiveness	Ellen O’Brien
VISION	33	Public engagement has continued as part of the process; to include development of a routinely updated Community Strategic Plan, whose goals and objectives <u>should</u> dovetail well with the core areas above and help create a plan that builds on the Town’s unified vision. Each topic has a “goal statement” that describes what the Town should strive for in each area. The objectives and strategies are specific ways the Town should work to achieve each goal.	John Hozey
GOALS AND OBJECCTIVES	33	How do the objectives from the 2021 Strategic plan intersect with the Goals/Objectives in this Comprehensive Plan? Are these values the same as those in the Strategic Plan (I don’t have the final copy of that plan)? Is there a 2022 Strategic plan? I commented in 2021, but did not see a 2022 plan.	Lisa Guzzardo
		Would like to see examples of Comp Plan objectives and Community Strategic Plan objectives to understand the difference.	Michael Strub
HOUSING	36-46	Housing: A. For the purpose of this plan, relying on the 2020 ACS data is probably fine, but for our own planning purposes and upcoming discussions, we need an updated number of the number of dwellings, given the rapid pace of construction the past two years. We also need it broken down by Historic District, Bay Creek, etc. For the upcoming STR discussions, we will need to know the percentage of homes that are STRs in the historic district. B. Objectives & Strategies: (1) 2b regarding "increase the amount of developable land on each parcel" is vague and overly broad. (2) Throughout, I have flagged some recommendations that, while I have no objection to them, I wonder if we aren't overloading the plan with some actions that are unlikely to happen in the foreseeable future due to staffing and resource constraints. I realize we say the Plan should look out 20 years or ore, and that's fine for general direction, but in terms of specific actions, I think we should assume a time horizon of the foreseeable future (within 10 years unless noted otherwise?). I think we need to be ambitious, but also realistic. 5a is the first of these that I question "realistic?"	Andrew Follmer
HOUSING	37	Overview Section: Years in time, not age	Jim Holloway
HOUSING	37 & 45	Overview: Last 3 sentences of this section are critical!! (p. 37 and p. 44)	Lisa Guzzardo
HOUSING	39	Accessory Dwelling Units: Excellent that the minimum length of stay is 30 days! Is this really being followed? Who checks on it?	Lisa Guzzardo

Chapter	Page	Comment/ Observation	Comment From
		This section needs to be rewritten to reflect recent action by the Town Council on Accessory Dwelling Units	Sam Jones
		We do not mention parking in the discussions of ADU requirements (I should have brought this up during the ordinance discussion, perhaps).	Ellen O’Brien
HOUSING	39	TENURE: What is the specific definition of a owner-occupied property? Do we include “owner occupied” homes in our tally of STRs?	Ellen O’Brien
HOUSING	43	RENTALS: Spell out citation of median rent figure to read “American Community Survey”	Ellen O’Brien
HOUSING	44	Affordable Housing and Workforce Housing Units—Suggest strengthening the fact that these are regional issues. Also acknowledge that the double taxation by both the Town and County make addressing these issues within the Town boundaries challenging.	Sam Jones
HOUSING	45	<i>1. b. Consider the benefits of enacting a mandatory Workforce Housing Unit ordinance, as authorized by Virginia Code § 15.2-2305, as well as other strategies implemented by peer localities.</i>	Paul Grossman
HOUSING	45	Objective #1: Pursue <u>character</u> appropriate additional supply and diversity of housing, including smaller single-family homes, duplexes, townhomes, and condos to increase the availability of affordable housing. a. Assess potential incentives for mixed-income housing development. b. Consider the benefits of enacting a mandatory Workforce Housing Unit ordinance, as authorized by Virginia Code § 15.2-2305, as well as other strategies implemented by peer localities. Note: font on #5 too small	John Hozey
		Item 1b: I do not think we need a mandatory workforce housing unit ordinance. Can you add what peer localities have this type of ordinance? I’d like to know for comparison. Cape Charles is so tiny and many rules of thumb don’t fit here. Also, our local businesses in historic Cape Charles are micro businesses by and large - Owner run with part time employees. I don't see these people requiring housing. Folks working outside of town who may want to live here are the ones I think we'll be targeting, i.e. teachers, medical personnel from ESRH, law enforcement personnel, aquaculture workers, Coast Precast employees. But, I think we need to provide this level of housing so business owners who may consider moving into the Harbor Industrial area will know employees can afford to live here. Not sure this thought requires any change in the plan....	Patsy Harris
		Acknowledge the challenge associated with double taxation and investigate options to lessen the tax burden.	Sam Jones
HOUSING	46	7. Address the impacts of short-term rentals (STR) impacts on the existing housing stock.	John Hozey

Chapter	Page	Comment/ Observation	Comment From
		a. Develop and maintain a Town inventory of short-term rental units. b. Coordinate with stakeholders to identify how and when short-term rental units are used. c. Encourage long-term rental conversions through legislation or regulation.	
		Also, work with local real estate/property management groups to accurately identify the number of vacation property rentals.	Ellen O'Brien
		Regarding short term rentals, I disagree strongly with legislation that would prohibit this.	Patsy Harris
		Suggest that the proposed Town inventory break-out short-term rentals between the Historic District and Bay Creek properties since the impact differs between the two areas.	Sam Jones
ECONOMY	49	“Promote a lively economy built around accommodations, food service, health care, social services, education services, retail trade, recreation, public administration, manufacturing, <u>fisheries/maritime activities</u> , and transportation.”	John Hozey
		Economy goal—This goal seems to cover every type of economic activity that currently has any presence in the Town. By doing so it really provides no priorities. For example, is public administration really an area of intentional growth and development?	Sam Jones
		Missing elements from the Planning Commission draft document: The Sharing Economy (Tourism, partnership & initiatives), Local Tax Revenues, Meals Tax	Bill Stramm
ECONOMY	50	Cape Charles is home to a lively economy built around accommodations, food service, health care, social services, education services, retail trade, public administration, manufacturing, <u>fisheries/maritime activities</u>, and transportation (2018 Cape Charles Market Study). Over the last six years, <u>other than maritime businesses</u>, the businesses of Cape Charles have seen progressively better numbers as a rule. In March of 2020, the world economy was shocked by the Covid-19 pandemic. However, the summer and shoulder seasons town revenues, while not as robust as projected, were better than last year. Although considered a relatively safe haven, restrictions to limit the spread of Covid-19 created a difficult environment for businesses to navigate. According to Cape Charles Main Street, B&B's were incredibly busy because Cape Charles became a landing spot for a lot of people who own homes here that usually are renting them out all summer. As people moved back into their usually rented units when the first surges of the pandemic hit, this left people looking for places to stay. The Northampton Hotel shut its doors for the entire season, making the search for available rooms more difficult. Restaurants had a harder time. With their number of seats reduced for the beginning of the season, they had to pivot to take out and then to outdoor dining with social distancing in place which limited the seating for many restaurants. Retail appears to have fared better. , however, Cape Charles Main Street has not had any conversations with these businesses in particular, but the summer was reportedly decent. This information is balanced with the fact that businesses had just ordered their seasons stock, then were closed	John Hozey

Chapter	Page	Comment/ Observation	Comment From
		which left them with large amounts of inventory and no ability to sell it. This put many behind on projected sales and a strong summer was needed to simply get back to even before entering the off season. Personal service establishments had an exceedingly difficult time, businesses such as hair stylists, nail salons, masseuses, and others. Many of those that lease spaces have had rent increases over the summer season, which made it even more difficult to make ends meet. The majority of this paragraph is not relevant; it does not describe our current economy. It describes a short period of our history that is over now and has little bearing on going forward]	
ECONOMY	50	Cape Charles is home to a lively economy built around accommodations, food service, health care, social services, education services, retail trade, public administration, manufacturing and transportation (2018 Cape Charles Market Study). Fourteen new businesses opened their doors in 2018 with another eight in 2019, 4 in 2020, 13 in 2021 and 11 to date in 2022. Over the last six years, the businesses of Cape Charles have seen progressively better numbers as a rule. In March of 2020, the world economy was shocked by the Covid-19 pandemic. However, the summer and shoulder seasons town revenues, while not as robust as projected, were better than last year. Although considered a relatively safe haven, restrictions to limit the spread of Covid-19 created a difficult environment for businesses to navigate. According to Cape Charles Main Street, B&B's were incredibly busy because Cape Charles became a landing spot for a lot of people who own homes here that usually are renting them out all summer. As people moved back into their usually rented units when the first surges of the pandemic hit, this left people looking for places to stay. Restaurants had a harder time. With their number of seats reduced for the beginning of the season, they had to pivot to take out and then to outdoor dining with social distancing in place which limited the seating for many restaurants. Retail appears to have fared better and the summer was reportedly decent. This information is balanced with the fact that businesses had just ordered their seasons stock, then were closed which left them with large amounts of inventory and no ability to sell it. This put many behind on projected sales and a strong summer was needed to simply get back to even before entering the off season. Personal service establishments had an exceedingly difficult time, businesses such as hair stylists, nail salons, masseuses, and others. Many of those that lease spaces have had rent increases over the summer season, which made it even more difficult to make ends meet. This is when Cape Charles Main Street applied for and received the Small business Relief Grant through DHCD which dispersed \$895,000 to 88 small business owners. Once businesses were shored up, Cape Charles Main Street turned its attention to marketing the town for the shoulder season to help bolster the success of the summer season with events to draw visitors such as Festive Fridays during the winter holiday season and the Love Run in the spring along with various other events such as the Shop & Stroll in February and Easter events to draw daytrippers to the shore. The total impact of Covid-19 will not be fully known until the data is collected and analyzed. There are active data stores available on-line which will quantify the question, but they are updated on a fixed schedule and those schedules must play out before the actual numbers are available.	Karen Zamorski
ECONOMY	50-57	Economy overview is mostly about the impact of COVID-19 on the economy. The charts and graphs which followed are not well explained and failed to show the impact of a high number of retired citizens in Cape Charles. Design number affects both labor force participation rate and the unemployment rate and the median household income. The employment by industry (p 52) ignores the Coastal Precast systems employment of 169 personnel, by far the largest in the town. The	Michael Strub

Chapter	Page	Comment/ Observation	Comment From
		location of employers map, page 54, shows most of the business is located on Randolph Street. Set The number of employers shown on the map on page 55 does not agree with the map on page 54. the objectives and strategies listed on page 56 and 57 are not discussed in the body of the chapter.	
ECONOMY	51	LABOR FORCE PARTICIPATION RATE: In January 2020, COVID (change period to a comma)	Bill Stramm
ECONOMY	52	Grammatical - Worded correctly? <i>There is some diversity in the Town's economy, but ideally there would be less reliance on major employers to allow the Town to be more economically resilient.</i>	Paul Grossman
ECONOMY	53	<u>MAJOR EMPLOYERS:</u> <i>The next largest employer is the Cape Charles Town Government, employing 32 people.</i> The table reflects Bay Creek Resort and Club	Paul Grossman
		Numbers for BNB's are still incorrect. This was noted at the last meeting. Bay Haven of Cape Charles should be 1 Northampton Hotel, I don't think 8 is accurate Fig Street Inn is probably 2 Hotel Cape Charles is not listed Oyster Farm Seafood Eatery doesn't seem correct	Tammy Holloway
		All Professional Plumbing Services is not a Cape Charles business, it resides in Chesapeake, VA as Davishar Plumbing for which All Pro Professional Plumbing is a DBA & Bay Creek Communications, LLC is no longer in business	Dennis McCoy
		Town numbers are low.	Jodi Outland
		Hotel Cape Charles is not listed and the Bay Haven Inn of Cape Charles B&B Number of employees is 1, Check with the Fig Street Inn and the Northampton Hotel	Jim Holloway
		How can we trust the numbers in this plan!?? Survey's done in 2020 will be negatively impacted by the pandemic. Information about Major Employers is very suspect: (p. 53) • "Bay Creek Marina" – has not been called this for over 5 years. Why is this name used in a 2021 analysis? • Oyster Farm Seafood Eatery – on any given night there are more than 5 people working in the restaurant. Bartender (1 or 2), Wait staff (3 – 5), Manager/hostess (2), bus people (2 – 3), Kitchen – (?? – behind the scenes). Way over the quoted number of 5! • Wako Chemical – there are at least a dozen cars parked in their front lot every weekday (we ride bikes past there every day). Quoted number is 6? • Bay Creek Communications no longer exists and did not exist in 2021. Why is it listed?	Lisa Guzzardo

Chapter	Page	Comment/ Observation	Comment From
		Kelly’s – definitely more than 5!! (Unless it is during the time when they were/are short staffed.)	Ellen O’Brien
		Can we indicate the number of employees that come from Cape Charles or Northampton County? The numbers are incorrect. Tammy Holloway’s business (Bay Haven Inn) does not have 8 employees. What can be done to have this info more accurate?	Bill Stramm
		Bay Creek Resort – employs 80 people No Bay Creek Marina – should be Kings Creek Marina There is no Bay Creek Communications, LLC anymore	
ECONOMY	54-55	Dots and numbers are confusing, #10 at Madison and Plum what 10 businesses are clustered there?	Tammy Holloway
ECONOMY	56	Typo – 1.d, remove second period.	Paul Grossman
ECONOMY	57	Item 7 (c): change i.e. to e.g.	Bill Stramm
ECONOMY	56 – 57	Objectives and Strategies: - Seek a healthy balance...(Objective #1) - Only the first sub bullet discusses STR, the rest discuss bringing in more tourists - Attract families with children to CC (Objective #2) – change the wording to “Attract families (with children) <u>as full time residents</u> to Cape Charles. - Sub bullet “a” is so important!! All families cannot afford to send their kids to Broadwater!! - Sub bullet “e” is also critical...otherwise why would they move here! (And people are fighting the Concrete plant...disgraceful!!) - Several objectives mention the “harbor area” (#4, #5, #7). Whatever happened to the rumored plans for developing the property across from Gull Hummock and Kelly’s. We had heard about a Marine provisioning facility, a hotel, a Tiki Bar...all exciting ideas. So disappointing that those ideas did not come to fruition! Employment opportunities, tourist attractions, fun for locals and visitors alike! - Good luck with objective #10. I ran for the Bay Creek BOD but did not get elected (that’s a story for another time)...one of the key points I made was the need to strengthen the relationship between Bay Creek residents/management and the town. Consistent goals/objectives between the two are critical. We share services and problems (e.g. S/T rentals), pay taxes, vote in the elections...but some B.C. residents barely set foot in the town. Glad to see this objective listed! Shared issues and services: - RPA issues - Home design heights and sizes - Police protection and law enforcement (e.g. golf cart behaviors!)	Lisa Guzzardo

Chapter	Page	Comment/ Observation	Comment From
		o Trash collection	
		I'd like to see mention of 'protecting the health and welfare of all residents and visitors' as there is increasing concerns of speeding on Randolph, Fig, Washington and Mason Avenues – this comment may be more appropriate for #2 on Page 70 (Transportation Section)	Ellen O'Brien
TRANSPORTATION	62 63 71	Transportation A. Parking: The table of available parking is obsolete, being 23 years old. An updated table is needed to include the municipal parking lot, changes on Mason and other streets. I don't think parking is allowed anywhere on Fig, is it? So there would not be 260 spaces. B. Alleys: "Additional alleys may be needed." Is this actually possible/feasible? also Obj/Strat. 5c. C. Objectives and Strategies: #6: Realistic? Not only asking whether we will devote resources to it, but wouldn't it also require a change (support) in our relationship with Star Transit? Will that be our policy?	Andrew Follmer
TRANSPORTATION	59	List does not include all sections within	Paul Grossman
TRANSPORTATION	60	Typo - <i>which serves as the Town's "Main Street</i> . Need closed paren.	Paul Grossman
TRANSPORTATION	62	The town now must decide for on-street parking for oversized vehicles, e.g., boats, trailers, recreational vehicles. [Awkwardly worded, does not make sense]	John Hozey
		Text states a total of 3,418 spaces available in Historic District but chart on same page says the total is 4975.	Michael Strub
		There is no parking on Fig Street so need to fix the parking total chart and remove Fig Street and fix the total # of spaces in Historic District and need to fix map. Need to add the leased municipal parking lot behind Strawberry Street plaza.	Bill Stramm
TRANSPORTATION	63	Public Transit – Well written. Should include that another value of the service is for those seeking to reduce carbon emissions.	Michael Strub
TRANSPORTATION	63	Alleys: Can we consider defining what "maintenance" of alleys means?	Ellen O'Brien
TRANSPORTATION	64	Sidewalks: States that areas where sidewalk is missing include streets east of Fig Street. That's the entire Historic District.	Michael Strub
TRANSPORTATION	64	The Transportation Plan sounds fantastic! I love the bike paths and walking paths. But I didn't see any comment on repairing or re-doing the sidewalks on Strawberry St and I think those need to be addressed asap.	Patsy Harris

Chapter	Page	Comment/ Observation	Comment From
TRANSPORTATION	64	A Sidewalk Committee met in 2019-2020 to complete, repair, and maintain all the sidewalks throughout the town. Their recommendations were presented to the Town Council in March of 2020. The Sidewalk Committee's recommendation was that a budget line item be added starting in 2021-2022 and continue for an additional three years to complete new and repair sidewalks. Comment: I walk the town every day to get exercise for myself and my dog. Sidewalks have always been a pet peeve of mine. Many houses in the north section do not even have any sidewalks, making it necessary to go into the street especially in wet weather to bypass the missing sidewalks. I wonder about disabled people, people with walkers, people with baby carriages, little children on bikes, etc. and how difficult walking a "here and not here" street (like Madison Ave, for example). My husband fell and broke some ribs a few years ago on a 'toe stumper' sidewalk on Tazewell. The effort to grind down the toe stumpers helped but some toe stumpers still exist.. I have not seen any new sidewalks so wondering about the 'completion of new sidewalks' mentioned on page 64. As we (Cape Charles) get more aged residents and families with children, I believe it becomes more important to provide safe passage along the streets. Being a retired long time resident, sidewalks are my top priority other than access to medical emergency needs. It really needs to be done now. And one more thing: Doesn't matter if there is a house on the lot or not, it should have a sidewalk. Some lots may <u>never</u> have a house built on them, but it doesn't mean safe passage across the property isn't necessary. Call it an assessment to the lot owners and let them pay over time (3 years?)for the sidewalk (they could add the assessment to the sale price if they should want to sell)-but have the lot sidewalks installed asap. And the houses with no sidewalks should have to pay immediately. How did they get by without having to install a sidewalk when everybody else did install one?	Mollie Pickron
TRANSPORTATION	64	<i>A Sidewalk Committee met in 2019-2020 to study the completion, complete, repair, and maintenance of all the sidewalks in the historic district. throughout the town.</i>	Paul Grossman
TRANSPORTATION	64	Sidewalks: (p. 64, 2 nd paragraph) Sidewalk Committee and “budget line item...” – how is this fair? My sister and her husband built a house on the corner of Strawberry and Madison in 2021. They were “REQUIRED” to pay for the installation of a new sidewalk on BOTH Strawberry and Madison and they are not rich. There was no funding offered from town and it cost them nearly \$10,000 to have the work completed and the neighbors on Strawberry do not have sidewalks for my family's to connect to. Other new home owners have been required to do the same, though some have fought this and won (not sure how they won!). • Why are new owners of existing homes not required to put in sidewalks? • Why are permits approved for major renovations, but sidewalks are not required? • Will residents who recently paid to install sidewalks be reimbursed for their payments?	Lisa Guzzardo
TRANSPORTATION	64	Bicycle and Pedestrian: 2nd para, the words "prepare recommendations to" are needed before "complete, repair and maintain all the sidewalks". Also the sidewalk trip hazard work is not yet complete	Andrew Follmer
TRANSPORTATION	64	<i>A sidewalk trip hazard contract was awarded in October 2021 and was completed in November 2021. This contract addressed trip hazards of 0.50 inches or greater located in the 13.8 miles of VDOT maintained sidewalks within Cape Charles. VDOT will be replacing broken sidewalk segments in the historic district starting in November 2022.</i>	Paul Grossman

Chapter	Page	Comment/ Observation	Comment From
TRANSPORTATION	64	The Sidewalk Committee’s recommendation was that a budget line item be added starting as soon as possible in 2021-2022 and continue for an additional three years to complete new and repair sidewalks.	John Hozey
TRANSPORTATION	65	<i>A Memorandum of Agreement was executed, and A-NPDC applied for funding under the VDOT Highway Safety Improvement Program (HSIP). A grant of \$2.5 million had been received in 2022 to construct the Phase IV trail connecting Cape Charles to a Rt 13 terminus.</i>	Paul Grossman
TRANSPORTATION	65	Golf Carts – Speed limit throughout town is 25 mph, thus, golf carts can go anywhere	Michael Strub
TRANSPORTATION	65 & 70-71	Can we add an “action” item that the town should add and maintain golf cart paths where possible to get Golf Carts off the main streets?	Tammy Holloway
TRANSPORTATION	65	Golf Carts: (p.65) How does the increased use of golf carts “reduce congestion and improve traffic safety”? They completely add to the congestion and negatively impact safety!! There is minimal enforcement of rules (for fear of scaring away tourists!?): • children are obviously not “licensed drivers”, • driving with alcoholic drinks in hand, • not pulling over to let cars/trucks get by, • parking on front lawns and sidewalks and in full-sized car parking spots • driving carts on the beach or “boardwalk” along Bay Ave • increase parking congestion (tourists and residents get here by car and also have multiple golf cars which doubles (or more) the needs for parking “spaces”	Lisa Guzzardo
TRANSPORTATION	66	Proposed Multi-Use Path (p. 66): Does the proposal on Peach between Randolph and Mason mean that the parking area will be eliminated? That block accommodates at least 20 cars for AJs, Salt and Sand, Peach Street Books, etc. What is the benefit of doing this? OR is a new parking design envisioned for this block? Also, the picture included on page 66 shows Central Park as a “multi-use path”; however golf carts are no longer permitted in the part, as it should be!	Lisa Guzzardo
		The Town Council has decided to implement a reduced scope Phase 3 of the multi use trail encompassing the block of Peach Street between Randolph and Mason Avenues and the connection to the south side of Mason Avenue. Question: Why is there a reduced scope on Phase 3? Because some residents don't want it? Is that a valid reason? What about from the south end of the park (Peach Street across Tazewell and forward to Mason)? The Town should have a consistent look and feel to the 'main trails' in the district. Has the reduced scope gone out for public vote?	Mollie Pickron

Chapter	Page	Comment/ Observation	Comment From
TRANSPORTATION	66	On the multi-trail map is not correct. The red “to be constructed in 2023” should only include mason to Randolph ave.	Tammy Holloway
TRANSPORTATION	68	Map 18 not labeled and legend appears to be cut off slightly.	Paul Grossman
		Mentions map 18 but there is no Map 18 showing the new road (Cassatt Parkway)	Bill Stramm
TRANSPORTATION	68	Third bullet: Are the tracks referenced still in place?	Tammy Holloway
TRANSPORTATION	68	VA 184 (Randolph Avenue) at Fig Street: Perform study to assess need and operations for roundabout. (Cape Charles) Comment: wouldn't an intelligent stop light be quicker, cheaper, and less destructive (to the current traffic operation)than a roundabout at that intersection?	Mollie Pickron
TRANSPORTATION	69	<i>There are currently no identified VDOT projects within Cape Charles borders, however, VTrans....</i> Should this be two sentences?	Paul Grossman
TRANSPORTATION	69	Are font size and style the same on 68 and 69?	Tammy Holloway
TRANSPORTATION	70	Objective #1: b. Prioritize increasing the number of people walking and bicycling in town Again, to encourage people walking, there has to be consistent, safe sidewalks Objective #2: e. Explore the implementation of mirrors at all alleyways to increase visibility for pedestrians. Comment: This summer I witnessed a potential disaster when a golf cart shot out of an alley loaded with kids into Plum Street. There was a car coming down Plum Street that just almost hit the golf cart (and nearly stopped my heart beating). What about putting STOP signs at the end of all alleys? Objective #2 as a whole: In cooperation with the Virginia Department of Transportation (VDOT), strive to connect sidewalks and make pedestrians feel safe, especially in the Historic District. Comment: This ties into the other references in the document concerned with sidewalks. Totally agree with everything there. When and how is it going to be prioritized?	Mollie Pickron
TRANSPORTATION	70	Objectives and Strategies: Overall these objectives are great! Objective #2: Good objective but how will this all be funded and what will be done for recent residents who were required to pay thousands of dollars to install sidewalks? Objective #3: Excellent to “implement new policies...” but a point “b” should be added. Ensure that the new policies are enforced! We cannot be afraid of scaring away tourism. The rules must be followed to ensure everyone’s safety while having fun	Lisa Guzzardo
TRANSPORTATION	71	<i>4. Increase the availability of parking while maintaining character. a. Review benefits of providing clearly marked parking spaces on Bay Avenue. b. Expand the existing parking facility south of the Mason Ave corridor to mitigate the impacts of parking on walkability in the area.</i>	Paul Grossman

Chapter	Page	Comment/ Observation	Comment From
		Given the candidates' dialogue around parking topics, do we want to consider adding the creation of a town strategic parking study/plan that will be a feeder to the capital improvements plan should infrastructure changes be needed or zoning ordinance changes?	
ENVIRONMENT	72	Comment on picture: Cape Charles needs a dog park	Mollie Pickron
ENVIRONMENT		Environment - Objectives and Strategies A. #1 These actions would appear to actually set policy. I'm not saying I object, but I think policy changes outlined as adopted strategy or objective needs consideration/discussion. B. 6c - realistic? (per comments above) C. 7e - to which staff does this refer? D. 7g: Was this explained/supported in the chapter? E. 8 (listed as second #7) rather than creating a committee, could this be added to the responsibilities of the Dunes and Wetlands Board?	Andrew Follmer
ENVIRONMENT	74	The first sentence says Cape Charles has hot summers. The second sentence says summers are usually warm (not hot). Text says average daily low temperature is 31° but figure 22 seems to say it's 32°. The entire eastern shore is usually slightly warmer than the rest of Virginia in winter. Add: "In the summer it is slightly cooler than the rest of Virginia due to its proximity to the water."	Michael Strub
ENVIRONMENT	75	-ensure the safety and welfare of property owners. The Flood Map on page 60 also reflects a 500-year floodplain.	Paul Grossman
ENVIRONMENT	76	Flood Map – I take it the tan areas are the 500-year floodplain but the legend does not reflect.	Paul Grossman
ENVIRONMENT	76	The map legend is indiscernible, too many earth-tone colors. Use the full rainbow of colors to allow distinguishing the individual areas.	John Hozey
ENVIRONMENT	77	Flood Map - References to flood map on page 60 should say page 77. It is not apparent that the flood map on page 77 reflects a 500-year flood plain. There are dashed lines around an area that are not explained.	Michael Strub
ENVIRONMENT	81	last paragraph. Map 10? Should it say Map 12?	Lisa Guzzardo/Bill Stramm
ENVIRONMENT	82	<i>Cape Charles has been approved for a Ground Water Withdrawal Permit from the DEQ allowing a withdrawal capacity of 5.8 million gallons per month.</i> Latest DEQ permit (GW0041201, Sept 1, 2016) allows for 7.9 million gallons per month.	Paul Grossman
ENVIRONMENT	84	Typos - U.S. Fish and Wildlife Service's National Wetlands Inventory <i>In the past, wetlands were frequently drained or filled to make the land developable.</i> Add period.	Paul Grossman
		...wetlands inventory can be viewed in the Wetlands Map 13. Need to also label the map as Map 13 on page 85.	Bill Stramm

Chapter	Page	Comment/ Observation	Comment From
ENVIRONMENT	87	SHORELINE EROSION: 2 nd column, 1 st full section, Typo - <i>The beach has been steadily deteriorating for thirty years before the transfer</i> <i>The beach had been steadily deteriorating for thirty years before the transfer.</i> Remove duplicate sentence	Paul Grossman/Bill Stramm
ENVIRONMENT	89	Last two sentences both start with “however” , maybe remove the second However and just start sentence with “The”	Tammy Holloway
ENVIRONMENT	90-91	In this and other chapters, there is little correlation between the objectives and strategies section of the chapter and the topics discussed within the chapter.	Michael Strub
ENVIRONMENT	91	Environmental Strategy <i>6. Protect natural resources, especially wetlands and other sensitive ecosystems.</i> <i>a. Prevent development in environmentally sensitive areas</i> Sounds good but not sure of scope involved. Would this apply only to town owned land? Or do we expect additional zoning limitations to be applied to all environmentally sensitive areas? I am not sure what areas we are specifically targeting?	Paul Grossman
		Seems like this should be the section that refers to protecting our tree canopy and removal of trees, Tree Committee and National award received? Or have I missed it in another section?	Tammy Holloway
COMMUNITY FACILITIES & SERVICES	94	Action re: Library Building: The way it’s written suggests we will retain ownership of the library space; my understanding is we would lease it back (as part of an agreement of sale) from buyer. If so, this should be made clearer.	Ellen O’Brien
COMMUNITY FACILITIES & SERVICES	96	CAPE CHARLES CENTRAL PARK: add “The Grand Illumination” to the last sentence as that is the name of the described event. STRAWBERRY STREET PLAZA: Update the Welcome Center plan	Ellen O’Brien
		Under Strawberry Street Plaza, the event is called “Festive Fridays”	Bill Stramm
COMMUNITY FACILITIES & SERVICES	97	ACTION: Update language to reflect actual work that’s been completed or is in process: new master planning.....has resumed vs should be undertaken	Ellen O’Brien
COMMUNITY FACILITIES & SERVICES	98	STREETSCAPES: What is the difference between STR and second homeowners? Do we know the number of second homeowners that rent their homes?	Ellen O’Brien
		Add sentence at end of Streetscapes: Cape Charles Main Street, understanding the importance of creating a welcoming Streetscape, has added seasonal banners, benches, and planters. The LOVE sign, an iconic landmark, managed by Cape Charles Main Street, is where residents and visitors alike take pictures. The LOVE sign meaning: L is filled with seashells/seaglass and represents the Bay; O is a tractor tire to represent agriculture; V is two kayaks and represents fun on the water; and E is crab pots to represent aquaculture.	Bill Stramm
COMMUNITY FACILITIES & SERVICES	99	CC BEACH: Is it appropriate place to add an ACTION: address items left on the beach, trash, etc? (people do not remove chairs, umbrellas, floats and tents from the beach)	Ellen O’Brien

Chapter	Page	Comment/ Observation	Comment From
COMMUNITY FACILITIES & SERVICES	99 103-107 112	Community Facilities and Services A. Cape Charles Fishing Pier: Is the recommended action something we are willing to commit to in the CIP or budget? B. Given the comprehensiveness of this listing, churches/places of worship seems a conspicuous omission. Also, in characterizing our community's infrastructure/assets, the availability of child care merits inclusion. C. Objectives & Strategies: Does 1a refer to the planned update of the dunes management plan or something broader? If broader, is it something we are likely to commit to? realistic?	Andrew Follmer
COMMUNITY FACILITIES & SERVICES	96 97 98	Community Facilities and Services – GRAMMAR/PROOFREADING A. Last sentence of first para under "Strawberry Street Plaza" needs updating. B. Cape Charles Harbor: 5th sentence in the first para should end "... living in and visiting Cape Charles and Northampton County" C. Is the paragraph on the Yacht Center fully up to date?	Andrew Follmer
COMMUNITY FACILITIES & SERVICES	93	Additional pics needed throughout this section	Paul Grossman
COMMUNITY FACILITIES & SERVICES	94	Town Hall – may want to add that the building does not meet current ADA requirements. Library – I do not believe we have seven computers there currently. Figure depicted should be labeled.	Paul Grossman
		LIBRARY – add current picture of Library on Mason Avenue	Jim Holloway
COMMUNITY FACILITIES & SERVICES	94	2 nd sentence – change “list” to “description.”	Michael Strub
COMMUNITY FACILITIES & SERVICES	94-98	Remove the word “ACTION” in front of all paragraphs where it appears. This is inconsistently used throughout the section. Further, actions should be captured in the objectives and strategies not here.	John Hozey
COMMUNITY FACILITIES & SERVICES	95	Picture of library should be added and labeled.	Paul Grossman
COMMUNITY FACILITIES & SERVICES	96	<i>The Park has a sidewalk just inside it’s perimeters... its</i> <i>At Christmas the park is...</i> Add comma	Paul Grossman
		PARK: add current picture of the Park, maybe the Gazebo with background; Also, add that the US Coast Guard Cape Charles Station members use the Park for regular exercise	Jim Holloway
COMMUNITY FACILITIES & SERVICES	96	Strawberry Street Plaza is located between two condominium buildings containing commercial establishments on the first floor and residential on the upper floors. It is in the center of the business district. Both landscaping and benches for public use have been provided by Main Street Cape Charles. The plaza has been used for farm markets, music performances, gatherings, a home	John Hozey

Chapter	Page	Comment/ Observation	Comment From
		for Santa and Mrs. Claus during the holiday Festive Friday events, and as an informal place to eat takeout food from nearby restaurants and bakeries. Central to Town plans is the view shed to the Harbor from Strawberry Street beginning at Cape Charles Central Park through the Plaza and on to the town Harbor. To the west of that view shed is a train car, set on rails, located parallel to the back of 230 Mason Ave, <u>which will be maintained on permanent static display</u> . Work will soon begin on the exterior of the train car, including metal work, painting, and window replacement. In the future it may become a Welcome Center with eligibility for state funding. A new public restroom <u>and visitors center</u> will be located just east of the train car.	
COMMUNITY FACILITIES & SERVICES	96	Strawberry Street Plaza, 6 th sentence should be Cape Charles Main Street	Tammy Holloway
COMMUNITY FACILITIES & SERVICES	96	Strawberry Street Section: I like the “ACTION” items on this but this is the only section that has them? Curious why? Wouldn’t they be Objectives and strategies? Add pictures to this section	Tammy Holloway
COMMUNITY FACILITIES & SERVICES	97	<i>the Historic Harbor Overlay District Of the 96 slips, 31 are reserved</i>	Paul Grossman
COMMUNITY FACILITIES & SERVICES	97	Add new entry: United States Coast Guard station, contact Chief Petty Officer in charge for a simple write up of their mission [Nunez comment: I would add this entry to Pg. 102]	Jim Holloway
COMMUNITY FACILITIES & SERVICES	97	Use a better and larger harbor picture – you can’t really tell this is the harbor	Tammy Holloway
COMMUNITY FACILITIES & SERVICES	98	<u>Cape Charles Yacht Center:</u> Update text to indicate Oasis’ management of the facility	Lisa Guzzardo
COMMUNITY FACILITIES & SERVICES	98	STREETSCAPES: Second sentence, add “in 1912, the town added Harbor St and Bay Avenue (Sea Cottage addition) resulting in 7 streets and 1 avenue running south to north (increasing postal addresses) and 7 avenues running west to east.	Michael Strub
COMMUNITY FACILITIES & SERVICES	98	Streetscape (p.98) – “ACTION” - period missing after first sentence (sorry!). <u>Last sentence is critical (This is detrimentally affecting our streetscape.)</u> Full blocks of empty rental or 2 nd homes causes the town to look vacant. No decorations, no lights, and “Vacation Rental” signs everywhere are an open invitation to vandalize or rob properties (though crime is low now, it could increase) and definitely detract from the cozy, small town charm of Cape Charles. • Is there a fee charged for posting “business” signs throughout the town? • If I lived in the historic district, could I post an “open for business sign” if I had a home based business (e.g. candle making/selling)?? • Why can a business advertise its services with contact information in a residentially zoned area of town? (Or the property management companies advertising!) • Rental (VRBO/ABNB) homes are no longer mom and pop rentals. They are purchased and run as businesses, often with minimal intentions for the owners to ever move to Cape Charles.	Lisa Guzzardo

Chapter	Page	Comment/ Observation	Comment From
COMMUNITY FACILITIES & SERVICES	98	Streetscape: Needs reference to LOVE sign The Cape Charles LOVE sign has become an iconic Virginia icon. Used in publications and marketing across the state. A “must see” for visitors and residents alike. Often used as the location for seasonal cards. The LOVE sign is located on town land but is owned and managed by Cape Charles Main Street. Insert what the letters represent (karen Z is submitting) This action area: I don’t care for the “pressure of the ‘tourist trade’ and sentence after. Is there a way we can address with more fair and positive wording? (I can think on this but wanted to get this in!) Perhaps use a LOVE sign photo for this section since we speak to both of them on page 98 Sunsets. Insert another sentence between 1 and 2nd. Cape Charles is geographically located on the shoals of the Chesapeake Bay, which is so vast that it makes for glorious sunsets on the water. (or something like this). Add picture of sunset from the beach area.	Tammy Holloway
COMMUNITY FACILITIES & SERVICES	98	Streetscape: The Town of Cape Charles has one of the most unique collections of historic buildings of any town on the Virginia Eastern Shore. It also has an intact street grid as originally laid out in the early 1880’s with seven avenues laid east to west and six streets north to south. At the center of the grid is Central Park. Streets are lined with mature trees and just about everyone has a front porch. Cape Charles is often and affectionately referred to as Mayberry. It is walkable although walks are frequently slowed by greetings from friends. Golf carts are a favorite mode of travel and are often decorated for parades and holidays. Bicycling is popular and a great way to skirt the parking issue in the summer months. As a Virginia Main Street Community, the Cape Charles Main Street (CCMS) organization implements a “Four Point Approach” with Design as one of its cornerstones. The Design team supports the community’s transformation by enhancing the physical and visual assets that set the commercial district apart. The placement of new benches, planters and seasonal banners on the light poles creates a welcoming and visually pleasing atmosphere for residents and visitors alike. The commercial area on Mason Avenue has experienced revitalization and adaptive reuse, as shops, restaurants and hotels are being built to serve the increasing number of tourists who visit Cape Charles and the Eastern Shore. CCMS maintains the iconic LOVE work which draws residents and visitors alike for the perfect picture. This work truly reflects the history and community by incorporating materials that represent what Cape Charles is all about. The “L” is made of sea glass and seashells to represent the bayside community. The O is a tractor tire to represent agriculture. The V is made of kayaks to represent outdoor adventure activities and the E is made of crab pots to represent aquaculture. It is right next to the fishing pier and at one end of the public beach on Town property.	Karen Zamorski

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COMMUNITY FACILITIES & SERVICES	99	Cape Charles Beach – There is no mention, in the Action paragraph, about the dunes. Will they be lowered to allow a view of the Bay for homes, pedestrians, drivers, etc.?	Lisa Guzzardo
COMMUNITY FACILITIES & SERVICES	99	Add picture of the beach here	Tammy Holloway
COMMUNITY FACILITIES & SERVICES	100	Kings Creek Marina: add current picture.	
COMMUNITY FACILITIES & SERVICES	100	Educational facilities – This may be a good place to include Rosenwald School and restoration efforts.	Paul Grossman
COMMUNITY FACILITIES & SERVICES	101	Broadwater Academy is pre-K through 12.	Bill Stramm
COMMUNITY FACILITIES & SERVICES	102	Typo: It was the drive and passion of CCP over the past two d ecades that has developed the Park into the treasured jewel it is today.	John Hozey
COMMUNITY FACILITIES & SERVICES	102	POST OFFICE: Last sentence, delete “as citizens ...and businesses”.	Michael Strub
COMMUNITY FACILITIES & SERVICES	103	Cape Charles Medical Services should be in larger font. IMRT should be spelled out.	Michael Strub
COMMUNITY FACILITIES & SERVICES	103	Considering people looking at this document and concerned about health care, I would suggest including mileage from CC under each heading Eastern Shore Rural Health Center (9 miles from CC) Riverside Shore Mem Hospital (36 miles from CC) Riverside Shore Cancer Center (36 miles from CC) Riverside Medical Office Building (36 miles from CC)	Paul Grossman
		Eastern Shore Rural Health has location , others do not – should add that info	Tammy Holloway
		Add Cape Charles Medical Services on Mason Avenue as one of the Riverside facilities.	Jim Holloway
		As we all know, not having a local hospital or emergency room is a definite drawback for retirees and older residents. We live here, hoping that we can get to VA Beach fast enough in case of emergency. Also, I’m surprised that there is very little mention of the state of the art facilitates/capabilities in VA Beach and surrounding areas.	Lisa Guzzardo
COMMUNITY FACILITIES & SERVICES	103	Is it appropriate to include an ACTION: need ability for seniors to age in place, improve offerings for residents for cardiac care, collaborate with Sentara Health to transport patients across (pet peeve of mine).	Ellen O’Brien

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COMMUNITY FACILITIES & SERVICES	104	Northampton County EMS is provided but more importantly is the Cape Charles Rescue Service located 3 miles on S Bayside.	Paul Grossman
COMMUNITY FACILITIES & SERVICES	104	TITLE of Recreational, Cultural and Youth Activities – needs formatting to distinguish this as a section title	Tammy Holloway
COMMUNITY FACILITIES & SERVICES	105	Cape Charles Natural Area Preserve – are there plans to provide paths/trails, signs, etc in the additional 20.76 acres that were purchased in 2021? Eastern Shore Rail to Trail – can’t wait until more progress is made on the trail. This is a fabulous idea that provides another great alternative for biking and walking!	Lisa Guzzardo
COMMUNITY FACILITIES & SERVICES	105	Should New Roots be listed here and then reference info on page 107 on Active and Engaged Partnerships? Do we want to include Volleyball on the beach?	Tammy Holloway
COMMUNITY FACILITIES & SERVICES	105	Eastern Shore Rail to Trail: Next to last sentence – build should be built	Michael Strub/Bill Stramm
COMMUNITY FACILITIES & SERVICES	106 - 107	Typo under CCP - <i>It was the drive and passion of CCP over the past two decades that has</i>	Paul Grossman & Bill Stramm
		Typo?? under Museum – <i>Cape Charles Historical Society; a non-profit organization founded in 1886</i> . Should this be 1986? The town was only started a few years earlier.	
		Typos – New Roots <i>The NRYG holds fundraisers but also receives grants. Add “...how to tend the garden, and how to harvest the food...”</i> <i>The Rotary Club provides funds and physical labor improving the property. Period</i> Discussion of Main Street org but we never show the area map that depicts the ‘territory’ covered by Main Street designation. Need to insert somewhere. Name of Cape Charles Main Street, Inc. is Cape Charles, VA Main Street, Inc. Its first sentence should read “Cape Charles, VA Main Street, Inc. is a designated Virginia Main Street Program and National Main Street Program, whose mission is to create a vibrant and attractive downtown that preserves the historical character, encourages economic development ad enhances the quality of life.” After “lifeblood of the town”, add the following sentence: The town partially funds CCMS to manage the marketing and management of business community needs..	Tammy Holloway
		ESVA : title should be Eastern Shore of Virginia Tourism Commission	

Chapter	Page	Comment/ Observation	Comment From
		4th /5^h sentence: change the next two sentences to read “ Its primary function is to market the Virginia Eastern Shore on a regional scale, highlighting all of the shore from tip to top. 7th sentence: replace with “ The Toursim commission created a brand for the shore, “You’ll Love our Nature” and markets the shore widely with this tag line. Should be “ Cape Charles Museum and...” Don’t include address if you do not include other addresses Insert “land” after (NRYG) Should NRYG mission just be included CCMS: needs full edit, have asked Bill Stramm and Karen Zamorski to provide. A lot of texts on page 106-107: could we break up with NRYG pic, Central Park concert pic, CC museum etc....	
		ARTS ENTER CAPE CHARLES: End of section, it says SMALL TOWN BIG ART - is that the slogan? FRIENDS OF THE CC MEMORIAL LIBRARY: the Library Board, not the Friends, sponsors town wide book read and movie MUSEUM & WELCOME CENTER: built in 1913 as validated by Town Metal Plaque. It is open through October. NEW ROOTS YOUTH GARDEN: sentences from first paragraph are repeated in Virginia Master Gardeners paragraph (pg. 107) ROTARY CLUB: the term “sweat equity” is not your every day household epithet (pg. 107)	Michael Strub
COMMUNITY FACILITIES & SERVICES	106-108	Add new entries: Northampton County American Legion Post 56: The Northampton County American Legion Post 56 is a patriotic veterans organization devoted to mutual helpfulness to serve those who served during a time of war; Post 56 is one of the oldest American Legion Posts in the nation with a founding year of 1919 and charter date established in 1922. [Need input from Bill Stramm on this entry] Cape Charles Lions Club 9269: Cape Charles Lions Club 9269 is an apolitical service organization to help individuals with sight and hearing problems. Through its local fundraising efforts (food truck at local events, broom sales), the local club hosts vision and hearing drives at the local elementary schools, Head Start, and the migrant clubs throughout Northampton County.	Jim Holloway
COMMUNITY FACILITIES & SERVICES	107	Delete all of the text under Cape Charles Main Street, Inc. and replace with the following: Cape Charles Main Street, Inc Cape Charles Main Street, Inc. (CCMS) is part of the Virginia Main Street Program which is a preservation-based economic and community development program that follows the National Main Street Center’s Main Street	Karen Zamorski

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		Approach™. They are incorporated as Cape Charles Main Street, Inc. and obtained § 501(c)(3) status. CCMS has more than 100 volunteers and operates under the belief that businesses are the lifeblood of the town CCMS is partially funded by the Town of Cape Charles and is responsible for managing the marketing for the town. They developed the branding for the town as Cape Charles Virginia's Cape, built the town a new website and manage all social media and advertising. They have provided benches on the streets of the business district and landscaped and furnished Strawberry Street Plaza in the center of town. CCMS has sponsored many events designed to bring people into town, including the very popular Love Fest which began as a celebration of 50 years of the Virginia is for Lover's campaign and is held every year on the Saturday of Labor Day weekend. Festive Fridays are held on the Friday evenings between Thanksgiving and Christmas in the downtown shopping area to promote local shopping for holiday gifts. Shops stay open late and offer specials, windows are decorated, restaurants offer specialties, Santa and Mrs. Claus are available for photos. CCMS annually pursues many grant opportunities to assist local businesses and to improve the Town business district.	
COMMUNITY FACILITIES & SERVICES	109 & 110	Weird transition to Water, Wastewater section	Tammy Holloway
		Water/Wastewater/Stormwater (found on page 109/110 should be moved to page 94/95; Broadband found on Page 111 should be moved to the Amenities Section on Page 97	Katie Nunez
		Need to add photos to this entire chapter	
		WASTEWATER: Line 7 – “these” should be “THIS” ...average Top right photo is storm water along Mason Avenue, not Bay Avenue	Michael Strub
COMMUNITY FACILITIES & SERVICES	110	Comment: Most people in the historic district are familiar with "Lake Monroe" which has improved somewhat in the last few years, but still is a problem. Rumor has it a mattress was found in the stormwater exits around Madison and Plum a few years ago. Shouldn't there be some periodic check to ensure we have unobstructed stormwater passageways in the town?	Mollie Pickron
COMMUNITY FACILITIES & SERVICES	112	General question: in all other sections of the plan, we have objectives and strategies but here we have policies. Why?	John Hozey
		What section are these Objectives and Strategies for? It seems really out of place.	Tammy Holloway
		Very thoughtful and beneficial objectives! Objective #12 has been missed. Objective 13 is excellent!	Lisa Guzzardo
		Pursue opportunities for art, public events, markets, etc.	Bill Stramm
LAND USE & COMMUNITY DESIGN	118	Land Use and Community Design A. Section A2 - second para needs to acknowledge HDRB Guidelines and that these recommendations are aligned with/come from those Guidelines.	Andrew Follmer

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	118 119 119 119 119	B. Section A3 - This seems like a policy for adoption, need to discuss? The handling of Bay Creek is awkward, for example Bay Creek appears to be included in the blanket statement that new centers should be patterned of the existing (i.e. Mason Ave) C. Section B2 - last sentence about pursuing joint review with county - is this realistic? Even legal under state code? D. Section B3: Seems odd to say that "town" should strengthen green spaces in Bay Creek. Also not clear how the last sentence (YMCA) fits with the rest. E. Section B4: What's the delta here? Is there one? Does this recommendation differ from current policy? If not, wording like maintain/continue should be used. If so, it should be clear what the change is. F. Section B5 : Town-wide street tree program. Another policy issue.	
LAND USE & COMMUNITY DESIGN	113	A. OPEN SPACE POLICIES Open spaces and scenic views, both in and around the Town enhance the quality of life for all townspeople and visitors in Cape Charles. The Town should take steps to preserve its valued natural assets and environmental resources, such as woodlands, shorelines, tributary creeks, <u>and</u> marsh grasses. In addition, protection and enhancement of both scenic and recreational open space should be of primary importance in planning for the future of the Town. Specific natural resource policies are addressed in other portions of the Comprehensive Plan. The policies below are intended to address those aspects of the natural and open space features that are part of the overall land use and Town design framework. 1. Preserve the integrity and accessibility of the water’s edge. Public waterfront access should be an important amenity and identifying feature for the Town. Waterfront areas include the Harbor, the Cape Charles beach, the municipal pier and the Coastal Dune Natural Area Preserve <u>[Where is this?]</u>. King’s Creek Marina and areas in Bay Creek also provide waterfront access Preserving the integrity and accessibility of the water’s edge is critical to maintaining the quality of life within the Town. This should be accomplished through measures that integrate the Harbor walkway with the historic core and control shoreline erosion, as well as by enhancing the municipal pier and beach as an amenity for residents and visitors. 3 Strengthen and enhance the Town’s green infrastructure. The Town contains a number of passive and active recreational facilities that serve as an attraction for residents and visitors alike, as well as important environmental functions. The town should strengthen the existing “Green” focal points, such as the Town <u>Central</u> Park, Coastal Dune Natural Area <u>[where?]</u>, and various landscaped open spaces in Bay Creek. New focal points within the Harbor area should be created with greenway connections between these focal points that incorporate environmental features such as wetlands and drainage ways, and urban streetscapes with landscaping and street trees. Connections can either be built in as part of specific revitalization programs or as part of the approval of new development proposals in critical areas. A new YMCA opened at Stone Rd and US 13 in 2021 and serves as a regional recreation center. <u>{not an open or green space}</u>	John Hozey

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		5. Encourage support for landscape enhancements in and around Town. The Town should enhance its current infrastructure of landscaping and green amenities, by promoting a Town-wide street tree program, buffer standards, and specific landscape enhancements for sites such as the Lift Stations [more than one] and Central Park.	
LAND USE & COMMUNITY DESIGN	115-140	IF the entire draft plan were as well written as these pages, I would have very few edits	Michael Strub
LAND USE & COMMUNITY DESIGN	116	Map 14 – need to update the Historic District Overlay Map as result of our work on the Guidelines	Bill Stramm
LAND USE & COMMUNITY DESIGN / FUTURE LAND USE	116 & 122	Suggest moving these two sections to the front of the document. In the end, these are the sections that people should look to for the overall direction of future development within the Town boundaries. This is especially true for the proposed Land Use Designations and Future Land Use map. Given the length of the document, people may never get to these sections as they review the Comp Plan in the future.	Sam Jones
LAND USE & COMMUNITY DESIGN	116	Typo – <i>small town character</i>	Paul Grossman
LAND USE & COMMUNITY DESIGN	117	Where is this Existing Land Use map from? Reference should be provided. Not in 2016 plan. 2009 plan on website in not a complete document.	Paul Grossman
		Is the PUD undeveloped locations in the southern portion correct?	Bill Stramm
LAND USE & COMMUNITY DESIGN	118	Typo - <i>neighborhoods should be compatible with adjacent structures and the neighborhood as a whole.</i> Eliminate line between	Paul Grossman
		Check spacing between sentences	Jim Holloway
LAND USE & COMMUNITY DESIGN	119	Grammatical/typo - <i>The Town should take steps to preserve its valued natural assets and environmental resources, such as woodlands, shorelines, tributary creeks, and marsh grasses.</i> <i>King’s Creek Marina and areas in Bay Creek also provide waterfront access Add period</i> <i>specific landscape enhancements for sites such as the Lift Station and Central Park. Eliminate line between</i>	Paul Grossman
LAND USE & COMMUNITY DESIGN	119	Open space Policies: Policy #5 – what is the “lift station”?	Lisa Guzzardo
LAND USE & COMMUNITY DESIGN	119	• The PUD Conservation areas should be colored the same shade of green as other Conservation areas.	John Hozey

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		- The southern edge of the Historic Downtown Mixed Use Area extends all the way to Nectarine Street, just short of the “Hump”. - Harbor District should include the parcels encompassing the Rosenwald School, the new Municipal Center, and the Yacht Center. - Harbor District Industrial: poor wording: Although these uses may intense, the proximity to...	
FUTURE LAND USE	124	Map: include Historic District Mixed Use (from Peach to the Hump), include update of PUD subdivisions, PUD beach should be dark green. Check Yellow on Randolph/Stone Road	Bill Stramm
FUTURE LAND USE	126	Should golf course be shown as open space?	Bill Stramm
FUTURE LAND USE	127	a. Entrance Corridor Function 1. To provide a strong sense of a <u>small town – historic</u> downtown “main street” character and to promote the continuing concentration of retail businesses and services in predominantly commercial areas. b. Preferred Uses New #1: Open space, to include public parks, agricultural areas, and highly landscaped uses.	John Hozey
FUTURE LAND USE	129	8. Consideration should be given to lowering the parking requirements in this district to allow the development of a dense downtown pattern of buildings, rather than wide expanses of surface parking. [not practical in our situation] 9. Alleys, thoroughfares, and service ways should be utilized to ensure trash pickup and deliveries for commercial establishments are minimized do not take place along public right of ways.	John Hozey
FUTURE LAND USE		Future Land Use - the map explanation on p. 123 - what's the delta? A. Historic Downtown Mixed Use (1). b1 should include restaurant among the preferred uses. (2). b2 raises the issue of ADA exceptions for rear, first floor residential. Unclear policy and precedent combined have created confusion, some ongoing issues. We need a policy so staff and commissions/boards have clear direction. (3). c1 (and many places) state that blocks should generally not be more than 600 feet long. What is the current range of lengths in the historic district? Would be useful for perspective. (4). c3. What's the delta?	Andrew Follmer
FUTURE LAND USE	123	This paragraph is a repeat of that shown on p 122.	Paul Grossman
FUTURE LAND USE	124	Note: Refer to the Historic District <u>Design</u> Guidelines for more detailed guidelines for development in this district. Function 1. To meet the housing needs for the citizens of Cape Charles, while maintaining the single-family residential character of the	John Hozey

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		Historic District. 2. To allow for the diverse mix of compatible commercial, entertainment, <u>recreational</u> , governmental and residential uses that currently exist in the Historic District.	
FUTURE LAND USE	125	Historic Downtown Mixed Use - <i>Buildings should be between two and four stories with minimal (if any) setbacks and ground floor uses that engage pedestrians with visually appealing facades.</i> Zoning states max 40 ft high. This does not support four stories. I don't want four stories in Comp Plan with the intent to change zoning ordinances. Harbor District - <i>The district could include structures between two and four stories</i> Zoning allows heights greater than 40 ft and ≤ 55 ft. Does this allow four stories? Harbor District Industrial - <i>Although these uses may intense, the proximity to the deep water harbor...</i> Not sure of 'intense'. Something missing?	Paul Grossman
		Harbor District: The master planning effort for this area and related zoning will be a critical effort as the Town moves forward. High quality, thoughtful development of the vacant property along Mason (where the clamming operation occurred), behind the various buildings on the Harbor side of Mason, and then the vacant land toward and beyond the "Hump" is essential. It is important that future development maintain the small town, "Main Street" feel that citizens and visitors enjoy while promoting the economic health of the Town.	Sam Jones
FUTURE LAND USE	126	Land uses in this area should follow the vision of the Planned Unit Development <u>and the vision/objectives of the Comprehensive Plan</u> , and work in harmony with the development of the Town rather than seeking to provide an alternatives to Mason Avenue and the rest of Town.	John Hozey
FUTURE LAND USE	126	Conservation/ Open Space - <i>These areas include parks, recreational areas, and agricultural land.</i> We do not have Ag land. Suggest deleting.	Paul Grossman
		Conservation / Open Space – is the southernmost green indicator showing the location of the Bay Creek "Back 9"? If not, then that conservation area should be added to the map.	Lisa Guzzardo
FUTURE LAND USE	126-136	Maps are fairly useless. At best one can guess, generally, what each map is attempting to show. Adding some labels as reference points may be helpful.	Lisa Guzzardo
FUTURE LAND USE	127	Entrance Corridor includes Keck and Angelo properties. In reviewing preferred and design characteristics, it states preferred residential over commercial. I would like to allow higher density residential (e.g., townhouses, etc). If this is in place, how would we view the future PUD expected to be presented addressing workforce housing. Right now, we would allow a PUD to be presented per	Paul Grossman

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		zoning requirements, but would this run counter to what this draft comp plan is presenting. I would want to have this flexibility of our Keck property also. Would this warrant a separate future land use, perhaps tagged to residential?	
		Entrance Corridor – Excellent design character goals. We have a long way to go on this one!	Lisa Guzzardo
FUTURE LAND USE	128	Note: Refer to the Harbor Area Conceptual Master Plan and Design Guidelines <u>– once developed.</u>	John Hozey
FUTURE LAND USE	128	Four stories – Item 6 shows three stories - bad picture since it shows a 4 story building.	Paul Grossman/Bill Stramm
FUTURE LAND USE	128	South side of Mason should be run up to the hump so that both sides of Mason are covered.	Paul Grossman
FUTURE LAND USE	129	Typo - 5. <i>Land use or intensity/density transitions should be provided between nonresidential uses and existing residential areas.</i> 6. It is important..... Remove 6	Paul Grossman
FUTURE LAND USE	130	Historic Downtown Residential - this should be renamed historic district residential. downtown generally refers to Mason Ave area. (1). b2 includes the library which is not in this zone, but rather historic downtown mixed use. (2). c1 - where in this yellow zone would mixed use projects belong? It appears to be purely residential.	Andrew Follmer
FUTURE LAND USE	130	1. To provide a broad spectrum of <u>non-tourist related</u> local and regional employment that offers living wage jobs and supports a balanced tax base. 1. Land uses in the designation should consist of office and flexible industrial uses, including corporate headquarters, emerging technologies facilities, and light <u>appropriate</u> manufacturing, that support local and regional employment opportunities consistent with the Town's small town historic character. 3. In general, buildings should be two to three stories. <u>[height will be determined by CUP as needed]</u> 6. Most of the site may be developed as building, parking or paved plaza and access areas. However, there should generally be 30-40% <u>10-20%</u> of the site in amenity open space, as <u>buffers</u> , public plazas , landscaping, greenways or recreational facilities.	John Hozey
FUTURE LAND USE	132— 135	Delete this entire section – redundant	John Hozey
FUTURE LAND USE	133	Picture not great – should use something else with more color/spring time, etc.	Jim Holloway
FUTURE LAND USE	134-135	Harbor District (1) The first sentence "further master planning" - does this refer to ongoing work or a new initiative? (2) c8 refers to the Town Landscape Plan. Does this exist? Are we planning to do one?	Andrew Follmer

Chapter	Page	Comment/ Observation	Comment From
FUTURE LAND USE	134	<i>Note: Refer to the Historic District Guidelines for more detailed guidelines for development in this district</i> This should be removed since these documents are from 2006 and should be considered archived. The guidelines need to be re-written. We started the comp plan efforts with the intent to archive. <i>c. Design Character and Scale (Also see Harbor Area Master Plan and Design Guidelines)</i>	Paul Grossman
FUTURE LAND USE	134	<i>8. Landscaping should be provided according to the approved Town landscape zoning requirements .plan (if available) or the Harbor Area Design Guidelines.</i> Harbor District – Exciting topic!! Preferred Uses #2 – “residential uses should be located above the first floor” does not sync with Building Design #3 – “New streets should extend the existing historic street grid of the Town.” Probably not intended, but this sounds like the extensions of the streets will all have commercial on the first floor and residential on the upper floors. Hopefully that is not the intent and single family homes will be allowed on the former rail road property! The town will never be able to support that number of businesses, without increasing the housing stock, especially in the off season.	Paul Grossman Lisa Guzzardo
FUTURE LAND USE	136	Harbor District Industrial (p. 136) – Function #1: critical to the long term existence of Cape Charles’ shops, restaurants, bars, etc. Design Character – many of these items do not make sense in an “industrial” section of town. For example, sub bullets: Parts of #1, #4, parts of #5,	Lisa Guzzardo
FUTURE LAND USE: AREA SPECIFIC POLICIES	138-139	Area Specific Policies (1) Section A, 5th bullet: Is this proposing an additional plaza on Strawberry Street, or should it read "such as THE new pedestrian plaza"? (2) I don't understand the last bullet point about Cape Charles High School. Why is it here? (3) Section B, first bullet - is this realistic (per previous comments about possibly overloading plan)? (4) Section B, fifth bullet - county input is great, but why would we need to share reviewing authority with them? (5) Section D, 3rd bullet - are we deciding as policy that we aim to convert to a roundabout? (6) Section E, this section strikes the correct tone of "encouraging" in Bay Creek, rather than suggesting the Town take the actions (see earlier comments)	Andrew Follmer
		STIP (p. 139) -- where is this? Fuji Film area? I don’t believe that this was referenced elsewhere in the document, but I may have missed it! Bay Creek (p. 140) – bullet #3 – As a resident of the Marina Villages (The Colony), we have suggested that a pedestrian/bicycle (only) gate be added to the fence along Washington (at the South end of Sunset Blvd). This would enable easier access to the town and enhance walkability between the town and the Oyster Farm complex OR provide a walkway to the west side of the fence between Marina villages and the new (but still undeveloped) sub-division to the West of Marina Villages on Washington.	Lisa Guzzardo

Chapter	Page	Comment/ Observation	Comment From
		Town Edges (p. 140) - All great points!! NOTE: Bullets on p. 141 are repeats of those on p. 140.	
FUTURE LAND USE	139	Both STIP and Harbor Area reference to Master Plan and Design guidelines should be deleted.	Paul Grossman/ Bob Panek
FUTURE LAND USE	140	Entry Corridors - <i>The Town should pursue a roundabout at the intersection of Fig Street and Randolph Street to improve traffic flow onto Mason Avenue and create a gateway into the Historic Town Center.</i> I disagree needed and it was not supported in the Transportation section. This is a holdover from previous comp plan 2009.	Paul Grossman
FUTURE LAND USE	141	Town Edge is a repeat from previous page. Delete.	Paul Grossman/ Andrew Follmer
IMPLEMENTATION	143	When do we get to see this Implementation section?	Paul Grossman /Michael Strub/Bill Stramm
IMPLEMENTATION	143	Comment: So many good things are mentioned in the CP Draft. What are the priorities and how/when will each item get scheduled? My own opinion is to implement the biggest impact items first. For example, the sidewalk issues.	Mollie Pickron
IMPLEMENTATION	143	<u>The most important part of any plan is its implementation strategy. It is acknowledged that as time passes, and decision makers change, priorities may also change. Therefore, it is critical to develop an implementation strategy that can react in real time. For Cape Charles, the annual review/update of the Community Strategic Plan will draw from the objectives and strategies of the Comprehensive Plan and be used as an implementation tool.</u> Relationship to the Town's Strategic Plan <u>The Strategic Plan and the Comprehensive Plan complement one another and share the same vision. Cape Charles uses its Strategic Plan to complement the adopted Comprehensive Plan and over time by determining</u> which of the Comprehensive Plan's strategies to <u>focus on in the upcoming year.</u> implement in the next six years. The Strategic Plan is a shorter, simpler, document that can be <u>reviewed/</u>updated every year, with objectives that can be removed as they are implemented and replaced with new ones. <u>The annual review/update of the Strategic Plan typically occurs between November – February of each year. This process often includes community surveys. The intent is to finalize the Strategic Plan in time for it to inform the development of the Town's annual budget, which includes capital projects associated with the Capital Asset Management Plan. Once adopted, the annual budget then becomes the work plan for the following fiscal year.</u>	John Hozey

Chapter	Page	Comment/ Observation	Comment From
		The Strategic Plan and the Comprehensive Plan complement one another and share the same vision. The are distinct because the Comprehensive Plan requires many actors, including private property owners and developers, to be involved in its implementation, whereas the Strategic Plan focuses on tasks within the Town's purview.	
ZONING MAP	146	Existing Zoning – does this reflect all changes made since 2008? Need to include a date on this figure. Verify locations of R-2 and R-3	Paul Grossman/Bill Stramm
		The colors used are extremely hard for a severely colorblind individual to read and comprehend	Jim Holloway
		ZONING MAP AMENDMENT PROPOSALS 107 Mason: Consider rezoning from Commercial to Commercial Residential. IN addition, then pick up the two vacant lots adjacent to this property (the corner of Mason Avenue & Harbor Avenue) and change zoning from Commercial to Commercial Residential	Katie Nunez (working with property owners)
		340 Randolph Avenue – consider rezoning from Residential to Commercial Residential. In addition, then pick up the two adjacent lots that run along Peach Street for this to go Commercial or Commercial Residential	
APPENDIX	145/146	Appendix consists of title page and existing zoning map. Where is the body of the appendix and when are we supposed to review it?	Michael Strub

The following comments were received after the deadline to submit comments. I was unable to incorporate into the spreadsheet but am providing a copy of these comments in addition to this spreadsheet which will need to reviewed by all parties. Also, a SWOT Analysis was submitted as a comment to the document and is provided for review.

Ken Butta, Planning Commission Member

Steve Bennett, Town Council Member

Jay Abella (submitted through Bill Stramm e-mail – SWOT Analysis)

COMMENTERS - AFFILIATION

Andrew Follmer: Town Council Member
Bill Stramm: Planning Commission Member
Bob Panek, Cape Charles Special Project Manager
Dennis McCoy: Planning Commission Member
Ellen O’Brien: Town Council Member
Jay Abella, Board Member of Cape Charles Main Street
Jim Holloway: Planning Commission Member
Jodi Outland, Cape Charles Human Resources Director
John Hozey: Town Manager
Karen Zamorski: Cape Charles Main Street Executive Director
Katie Nunez, Planning & Zoning Director
Ken Butta: Planning Commission Member
Lisa Guzzardo, Member of the Public
Mollie Pickron, member of the Public & Cape Charles Main Street, Historic District property owner & member of the Yacht Club
Michael Strub: Planning Commission Member
Patsy Harris, Member of the Public & Cape Charles Main Street
Paul Grossman: Town Council Member/ Planning Commission Member
Sam Jones, Member of the Public
Steven Bennett, Town Council Member
Tammy Holloway: Town Council Member

ZONING MAP ISSUES ONLY

Erin Harvey, 340 Randolph
Anne Hayward Walker & Nancy Rooney, 107 Mason Avenue



DRAFT
TOWN COUNCIL & PLANNING COMMISSION
Joint Work Session
Cape Charles Civic Center
November 9, 2022
6:30 PM

At approximately 6:30 p.m. Mayor William “Smitty” Dize, having established a quorum, called to order the Work Session of the Town Council. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O’Brien. Also, in attendance were Mayor-elect Adam Charney, Councilman-elect Ken Butta, Town Manager John Hozey, Planner & Zoning Administrator Katie Nunez, Planning Technician Tracy Outten, and Town Clerk Libby Hume. There were no members of the public in attendance.

Chairman Bill Stramm, having established a quorum, called to order the Work Session of the Planning Commission. In addition to Chairman Stramm, in attendance were Commissioners Ken Butta, Paul Grossman, Jim Holloway, and Dennis McCoy. Commissioner Michael Strub was not in attendance and there was one vacancy on the Commission.

The purpose of the joint work session was to continue the review and discussion of the draft Comprehensive Plan and the comments received, specifically the Future Land Use Map and Land Use Designations.

Katie Nunez stated that the new Future Land Use Map had been updated based on discussions at the October 27th joint work session. At that session, many in attendance felt that more designated land uses were needed, so “Residential” and “Mixed Use” were added. The Future Land Use Map was updated to show Residential areas in yellow and Mixed Use areas in orange hash marks. There had also been discussion about the Entrance Corridor along Route 184 coming into the Town which were shown in orange. (Please see attached.)

There was further discussion this evening regarding i) the area to be designated as Entrance Corridor; ii) a number of other parcels and their designations; iii) the Harbor District Industrial – Town Parcels where the wastewater treatment plant was located and the area proposed for the new municipal building and the Rosenwald School property; iv) existing commercially zoned perpendicular streets off of Mason Avenue – the first blocks of Harbor, Pine, Strawberry, Peach, Plum and Fig Streets. There was a general consensus to also include the first block of Nectarine Street; v) A number of area designations were changed when reviewing the Future Land Use Map dated November 9, 2022. Several corrections were also noted. (Please see attached staff report.)

Katie Nunez stated that she had conversations with several property owners in the downtown area regarding possible rezonings. i) There were three undeveloped lots and an adjacent building on the corner of Harbor and Mason that would be appropriate for mixed use. She planned to advance a proposal in the near future to rezone these parcels from Commercial-1 to Commercial-Residential. The property owner was supportive of rezoning; ii) The location of the former Peach Shave Ice building had been approved for commercial use as a home business by a prior town official. When the business changed to a coffee shop earlier this summer, it was no longer a home business since the business owner did not live on the property. This area of Peach Street was conducive for commercial use. She proposed that the area on the corner of Peach and Randolph and along Peach to the corner of Mason be rezoned for some level of commercial designation, probably Commercial-Residential. (Please see attached staff report.)

Council noted several properties along Jefferson Avenue which formerly had businesses such as a convenience store and laundromat, as well as the current location of Cake Charles.

Katie Nunez stated that the final draft of the Comprehensive Plan was expected to be received on November 18th. It would be provided to the Planning Commissioners and Council for review upon receipt. The plan could be advertised for the joint public hearing scheduled for December 5th, and she hoped that the Commissioners could achieve a recommendation to Council after the public hearing.

John Hozey added that if significant comments and concerns were received, the project calendar could be pushed out for further review of the plan. The goal was to do it right, not fast.

Councilman Follmer asked about the Historic District on the existing Land Use map. Katie Nunez responded that the existing Land Use map was incorrect and did not reflect the decision made at the October joint meeting. The Historic District actually encompassed Washington Avenue. She located information stating that the map was approved but had no copy of the map. The Historic District Review Board had been enforcing the Historic District map to Washington Avenue. The correct map was distributed at the October meeting. The only change would be that the Harbor Historic District was being moved onto this map. The map would be brought to Council for an official vote on December 15th.

Motion made by Commissioner Holloway, seconded by Commissioner McCoy, to adjourn the Planning Commission Work Session. The motion was approved by unanimous vote.

Motion made by Councilman Buchholz, seconded by Councilwoman Holloway, to adjourn the Town Council Work Session. The motion was approved by unanimous vote.

The meeting adjourned at 7:33 p.m.

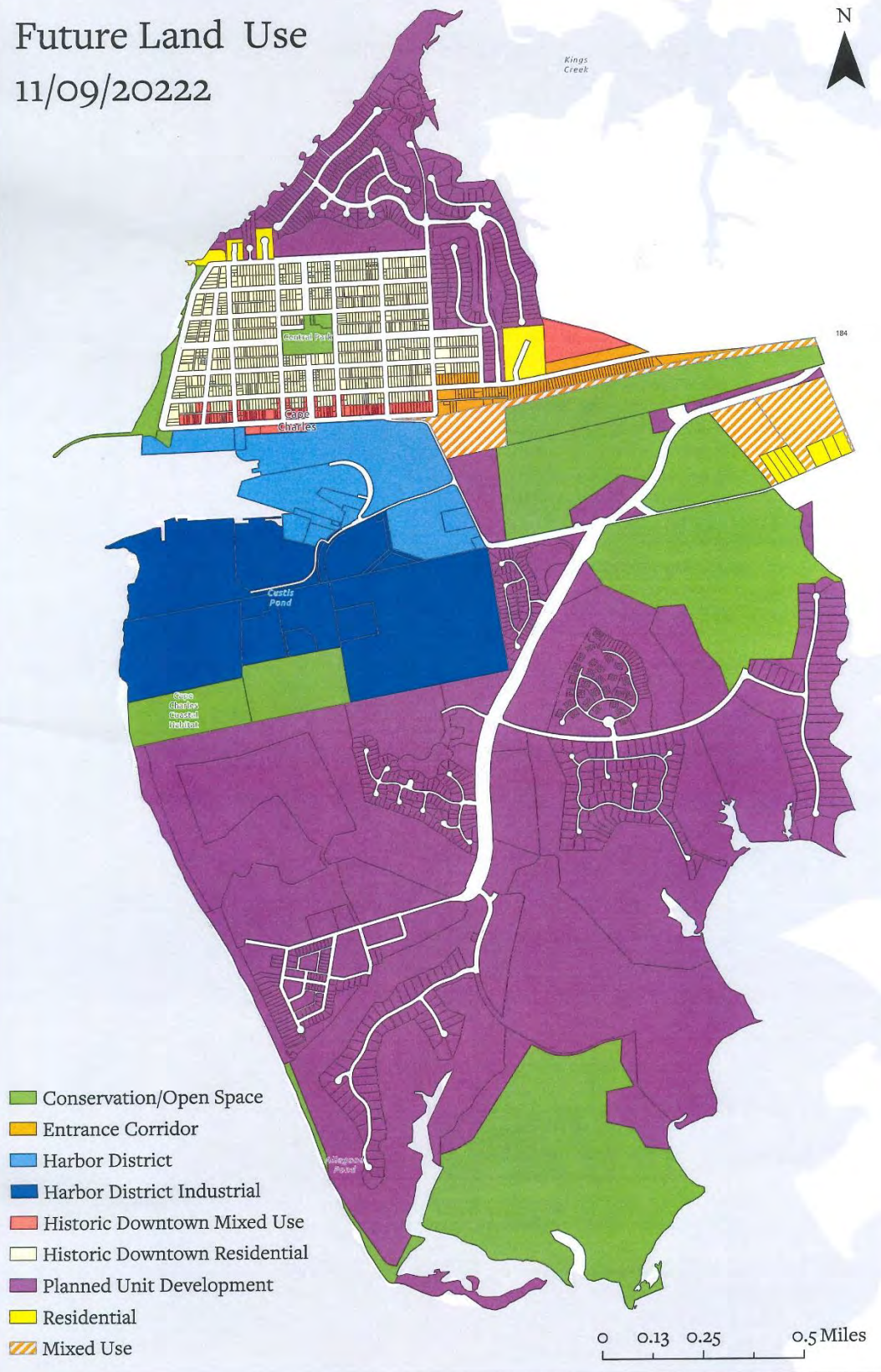
Mayor William "Smitty" Dize

Chairman Bill Stramm

Town Clerk

Future Land Use

11/09/2022





PLANNING COMMISSION & TOWN COUNCIL STAFF REPORT

Meeting Date: November 9, 2022

Prepared by: Katie H. Nunez, Planning & Zoning Administrator

Date: November 3, 2022

JOINT WORK SESSION with TOWN COUNCIL RE: COMP PLAN –

Continuation of Review of Public Comments

At the October 27, 2022 Joint Work Session of Town Council & Planning Commission, we completed a review of all of the comments submitted with the exception of those for the Land Use & Community Design Chapter, including the Future Land Use Map as well as the Existing Zoning Map.

I have provided the Land Use Chapter as an attachment to this report so that you do not have to bring the full packet from the 10/27/22 Joint Work Session, if you don't want to.

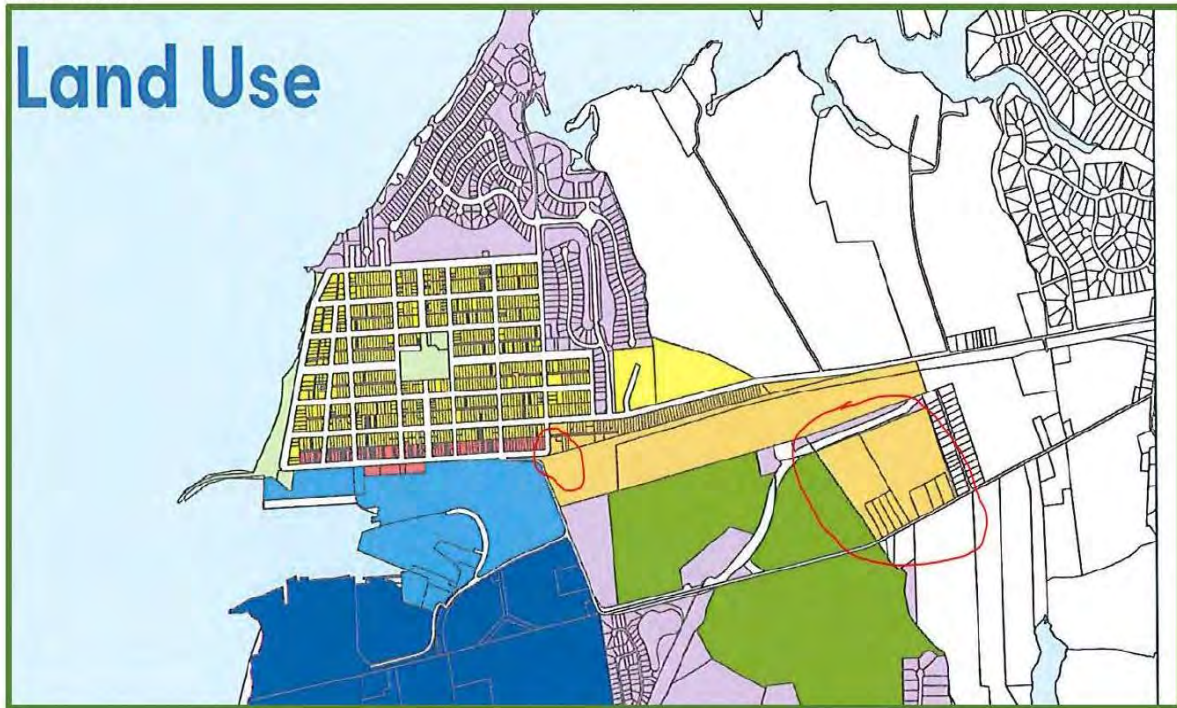
I. ITEMS DISCUSSED ON 11/9/2022 – NEED TO RE-AFFIRM

While discussion started on the Future Land Use components, we finally agreed to end the meeting and come back on 11/9/2022 to take up this chapter. It appeared that we did have some discussion about the need to create two additional, new Future Land Use Designation Categories: SEE PICTURE 1 on next page to assist in this discussion.

- Residential – while there is a Land Use Designation of Historic Downtown Residential, there is not a more “generic” residential category which could be applicable on the Keck/Angelo Manuel/workforce housing possible project off of Old Cape Charles Road. This was based upon the position that these two parcels should not be shown as Entrance Corridor
- Mixed Use - with characteristics of Commercial and Residential along with Community Facilities – this could also be applicable to the Keck/Angelo Manuel/workforce housing possible project off of Old Cape Charles Road as well as the lot next to Rayfield's Pharmacy where there has been interest from the Town residents to locate some recreational services/amenities there.

We need to discuss the potential two new Land Use Designations and any specific criteria (Consultant will assist with fleshing out the description fully) and the land(s) that should receive these designations.

PICTURE 1

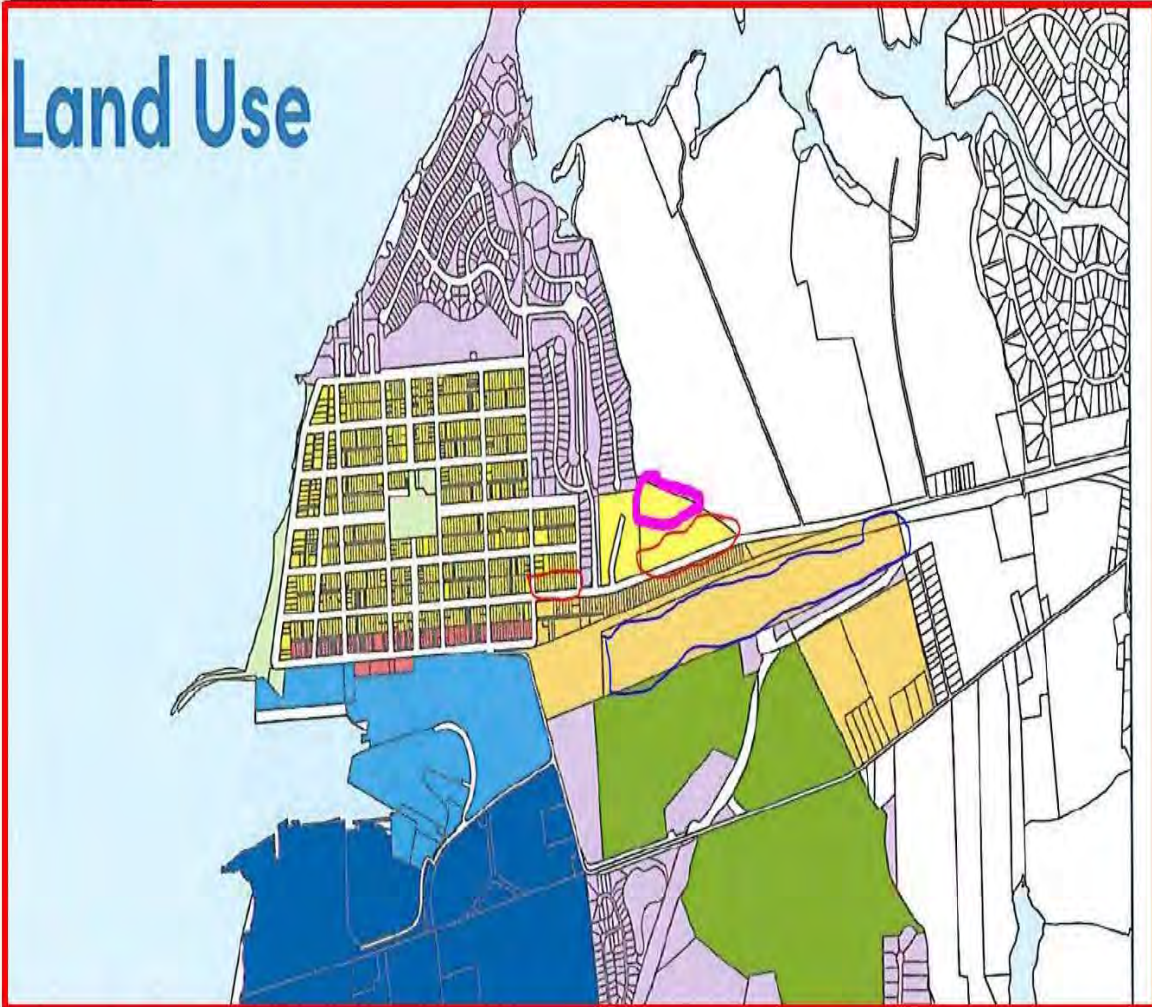


II. REMAINING ITEMS FOR DISCUSSION re: FUTURE LAND USE COMPONENTS

A. Entrance Corridor

Consider expanding this designation to also be on the north side of Stone Road, except to exclude the Myrtle Landing property (which should be Mixed Use), and continue to the corner of Fig & Randolph and to run one block's distance (140 ft) from Randolph/Stone north into all of the property - All of the red circled areas in PICTURE 2 below.

PICTURE 2



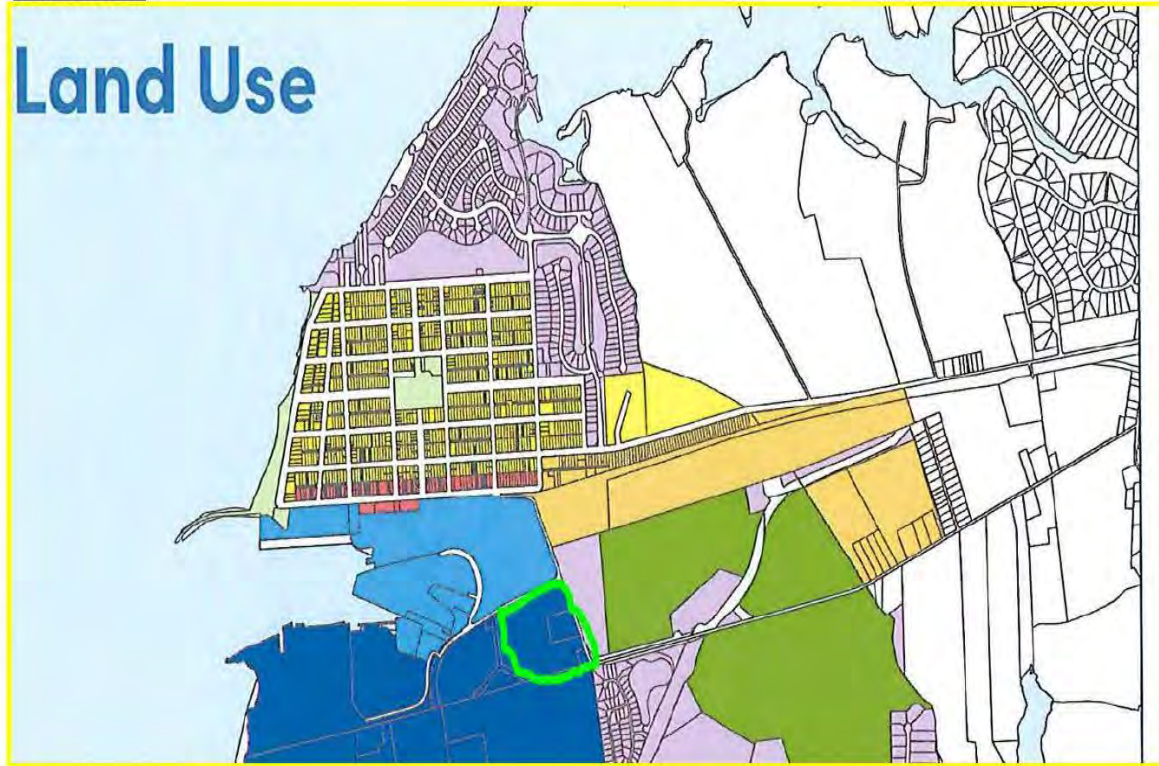
If this is acceptable, then we need to deal with the “residual triangle lot” as you come into town and determine if the remainder should be the bright yellow (Historic Downtown Residential) or one of the other Future Land Use Designations – the pink circled area in PICTURE 2 above

Lastly, we should discuss the area circled in blue in PICTURE 2 above – the Spoils Site and consider changing that from Entrance Corridor to Conservation/Open Space

B. Harbor District Industrial – Town Parcel

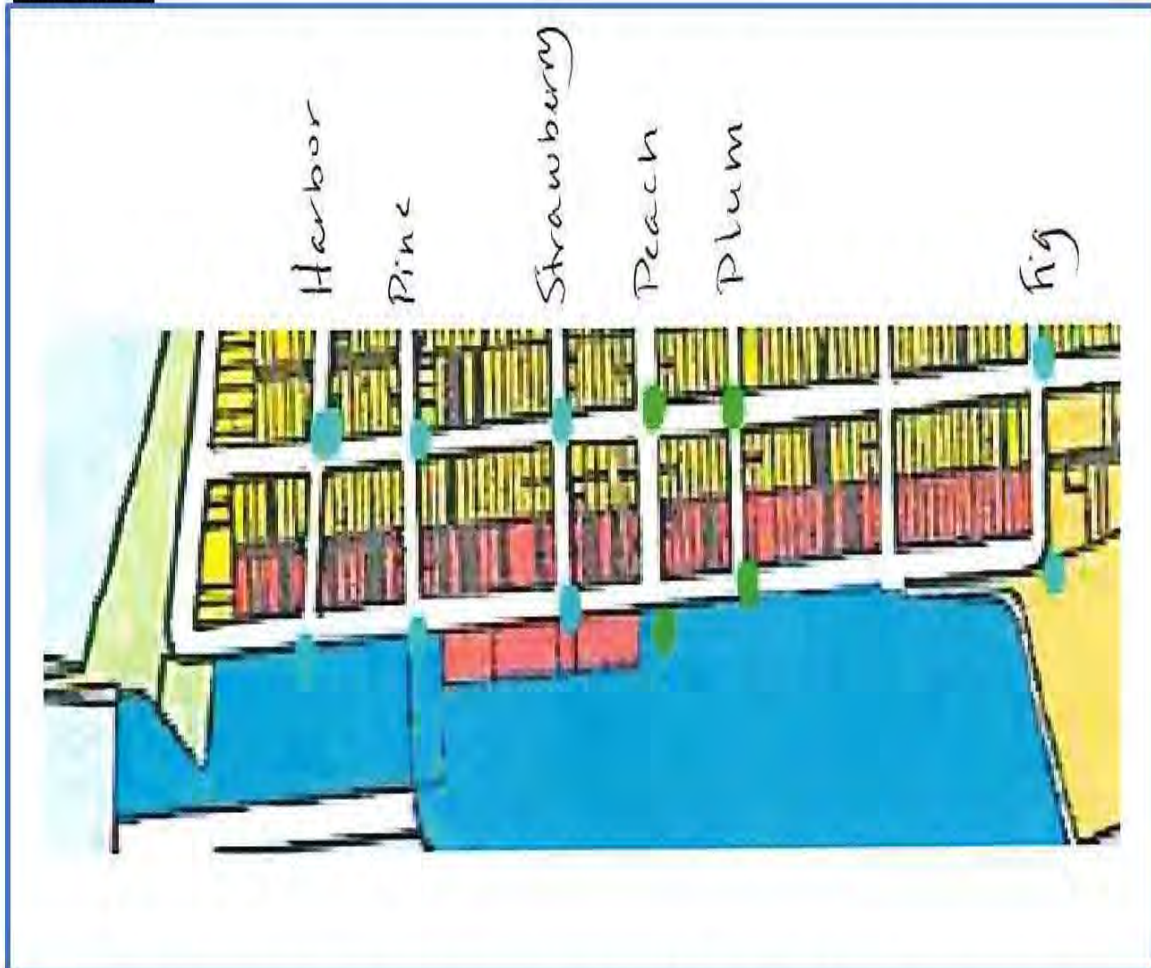
The Town Parcel where Wastewater Treatment Plant is located which is outlined in Neon Green in PICTURE 3 below – this area will also be the new home for the Municipal Building and the Rosenwald School property is the square lot within that outlined area fronting Old Cape Charles Road: we should discuss whether this should be moved to light blue or Harbor District Future Land Use Designation.

PICTURE 3



- C. Existing Commercially Zoned “perpendicular” streets off of Mason Avenue (Harbor, Pine, Strawberry and Fig) – just the one block back to Randolph Avenue: These should show the Historic Downtown Mixed Use Future Land Use Designation in keeping with their already existing zoning district designation.

PICTURE 4



Additionally, we should consider doing the same for Peach and Plum Street, especially since Peach is truly established as a full commercial street with the parking layout and Plum should be considered as such, since the Town Hall will be relocated in the near future and the re-use of the building as well as the remainder of the block should be considered with both residential and commercial as possibilities.

- D. Any other areas that the Town Council or Planning Commission would like to discuss further.

III. Existing Zoning Map

Thru this process on the Comprehensive Plan, I wanted to make you aware that I have had conversation with several property owners in the downtown area about possible rezonings.

- 1) On the corner of Harbor & Mason, there are 3 undeveloped lots and an adjacent building that I would like to propose in the near future when we look to amend the Zoning Ordinance and Zoning Map that the first half of that block from the corner of Harbor and going up Mason Avenue be rezoned from Commercial-1 to Commercial-Residential. **HIGHLIGHTED IN BLUE on LEFT SIDE OF PICTURE 5**
- 2) On the corner of Peach and Randolph and going up Peach to the corner of Mason, I would like to propose that this section of Peach Street have some level of Commercial designation, probably Commercial-Residential. **HIGHLIGHTED IN BLUE on RIGHT SIDE OF PICTURE 5**

PICTURE 5





DRAFT
TOWN COUNCIL
Public Hearing & Special Meeting
Cape Charles Civic Center
November 10, 2022
6:30 PM

At approximately 6:30 p.m. Mayor William “Smitty” Dize, having established a quorum, called to order the Public Hearing & Special Meeting of the Cape Charles Town Council. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O’Brien. Also, in attendance were Town Manager John Hozey, Project Manager Bob Panek, Special Assistant to the Town Manager Julie Pruitt, Wastewater Plant Manager Patrick Christman, Public Works Foreman Ralph Bowen, Town Clerk Libby Hume, and four representatives from Virginia American Water. There were six members of the public physically in attendance, and 12 viewers on Facebook.

A moment of silence was observed followed by the recitation of the Pledge of Allegiance.

PUBLIC HEARING:

Mayor Dize announced that the purpose of this evening’s public hearing was to receive comments regarding the proposed sale of the public utilities – water and wastewater systems and granting of a franchise for the use of public places to acquire, maintain and operate the water and wastewater systems.

There were no comments to be heard nor any received in writing prior to the meeting.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to close the public hearing. The motion was approved by unanimous vote.

The public hearing was closed at 6:33 p.m.

ORDER OF BUSINESS:

- A. *Opening of Bids for Proposed Franchise for Use of Public Places to Acquire, Maintain and Operate the Water and Wastewater Systems:*
Town Clerk Libby Hume stated that one bid was received. She opened the envelope and read the bid letter from Virginia American Water into the record. (Please see attached.)
- B. *Town Council Vote re: Comprehensive Asset Purchase Agreement:*
Town Manager John Hozey provided an overview of this item as follows: i) In May 2020 the Town received an unsolicited proposal from a private utility company to acquire and operate the Town’s water and wastewater utilities which started a lengthy process to develop procurement guidelines associated with the Public-Private Education Facilities and Infrastructure Act (PPEA), then provide appropriate public notice; ii) As a result of the public notice, the Town received a second proposal; iii) The Town then solicited for a consultant to assist in the evaluation of the two proposals and conduct due diligence; iv) Following the lengthy due diligence process, Council chose Virginia American Water’s proposal to move on to the next phase of the evaluation which included robust public consultation; v) After receiving input at multiple public meetings related to the Virginia American Water proposal, Council authorized the town manager to negotiate potential agreements to address the public comments and affected the transfer of the Town’s utilities. Draft agreements were developed and presented for public consideration at two Town Hall meetings in October where public comments and questions were addressed. There was no significant opposition to these agreements offered at the meetings; vi) The public notice for a public hearing was published and a public hearing was held earlier this evening with no public comments received.

John Hozey went on to state that this was a complex transaction. First, a resolution was needed to adopt the Comprehensive Asset Purchase Agreement that contained the terms and conditions of the sale. Since this action divested the Town of real property, adoption of an ordinance authorizing the sale of the property was also required. Both the resolution and ordinance required a supermajority vote of the Town Council for adoption. Following successful consideration of the resolution and ordinance, a franchise agreement also needed to be considered.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to adopt Resolution 20221110 Approving the Comprehensive Asset Purchase Agreement with Virginia American Water Company.

Mayor Dize read Resolution 20221110, then called for a vote.

The motion was approved by unanimous vote. Roll call vote: Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes; O'Brien, yes.

C. Town Council Vote re: Sale of Water & Wastewater Systems:

John Hozey stated that, as explained earlier, this was the second step in the process to sell the water and wastewater systems to Virginia American Water. He added that the parcel was a very large lot and needed to be subdivided. Staff had been trying to secure a surveyor for the last nine months. When completed, all documentation would be presented to Council prior to execution.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to adopt Ordinance 20221110A Approving the Sale of the Town of Cape Charles Waterworks System and Wastewater System to Virginia American Water Company. The motion was approved by unanimous vote. Roll call vote: Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes; O'Brien, yes.

D. Town Council Vote re: Granting of Franchise for the Use of Public Places to Acquire, Maintain and Operate the Water and Wastewater Systems:

John Hozey stated that it was a legal requirement that Virginia American Water be granted a franchise for exclusive rights to operate the systems. The Code of Virginia required advertisement and solicitation of bids. After public notice was conducted, one bid was received. It was opened and read into the record earlier this evening.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to adopt Ordinance 20221110B An Ordinance Granting to Virginia American Water Company, Its Successor of Assigns the Exclusive Right, Insofar as and to the Full Extent That the Town Can Lawfully Grant Such Right, for the Term and Upon the Conditions Hereinstated, to Use the Streets, Alleys and Public Places of the Town of Cape Charles to Acquire, Maintain and Operate a Waterworks System and a Wastewater System in Said Town, to Lay, Remove, Repair, Replace and Maintain Water and Wastewater Pipes, Mains, Service Pipes, Hydrants, Fire Hydrants, Fixtures and Appurtenances in the Present and Future Streets, Alleys and Public Places of Said Town, to Supply Water and Wastewater Service for Domestic, Public, Manufacturing and Other Purposes Within the Town of Cape Charles and to Transport Through the Town to Other Municipalities and Unincorporated Areas Where Services May Now or Hereafter Be Furnished by Means of the Existing Distribution or Collections Systems and Mains or as the Same Be Hereafter Extended, Replaced, Relocated or Paralleled by Additional Mains from Time to Time. The motion was approved by unanimous vote. Roll call vote: Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes; O'Brien, yes.

E. Approval of Transition Contract with Virginia American Water for Consultation of Wastewater Treatment Plant Maintenance and Operations:

John Hozey stated the Town would now be embarking in a lengthy process for State Corporation Commission (SCC) approval. It would take several months to put together the package to submit

to the SCC and another six or more months to obtain SCC approval. Until the sale was finalized, the Town was still responsible to operate and maintain the water and wastewater systems. Virginia American Water stepped in to assist us with some issues under an emergency procurement, which would be expiring soon. Council permission was being requested to continue the agreement with Virginia American Water until the sale was finalized. The original emergency procurement covered only the wastewater system, but the agreement being reviewed this evening would cover both the water and wastewater systems. John Hozey noted that he had failed to include the water system in the Exhibit A included in the agenda packet. The corrected Exhibit A was distributed to Council for review.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to replace Exhibit A in the packet with the revised version. The motion was approved by unanimous vote.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to approve the Transition Consulting Agreement with Virginia American Water. The motion was approved by unanimous vote.

TOWN MANAGER COMMENTS

John Hozey commented as follows: i) He explained that there was an issue with Northampton County's tax database and the Town had just recently received the personal property tax information. Staff still needed to update each record in the database before it could be provided to our software vendor to import into our financial system. An exact date could not yet be determined for when the personal property tax bills could be printed and mailed. State law required a payment deadline of minimum of two weeks after the date of mailing. He asked for Council concurrence to extend the payment deadline to three weeks after the billing was mailed. There was some discussion regarding the payment deadline being closer to Christmas which could be a hardship for the residents, and income tax consequences if the deadline were pushed into 2023; ii) Since there were no items of business to bring forward for Council action for the November 17th Regular Meeting, he intended to cancel the meeting. The Comprehensive Plan was originally scheduled for action on November 17th, but it had been pushed back to December. There were no objections from Council.

MAYOR AND COUNCIL COMMENTS

Mayor Dize thanked all the candidates who ran for the Mayor and Council positions. Most people did not want to get involved. He appreciated everyone who ran and congratulated those who won for their service to the Town. He asked Council for their permission to include the newly elected individuals in all future correspondence and meetings, including executive sessions. Council was in agreement with including Mayor-elect Adam Charney and Councilman-elect Ken Butta in all future correspondence and meetings.

Vice Mayor Bennett stated that there were over 100K small wastewater systems in the United States and our water system was built before cybersecurity was an issue. Both of our plants were easily accessible which could be a threat to life. He recommended bringing Virginia American Water in to discuss cybersecurity. Cybersecurity protection was a necessity since anything with an Internet Protocol (IP) address could be accessed remotely and a potential threat. Public water and wastewater systems were considered the most vulnerable, especially in small localities.

Councilwoman O'Brien did not have any additional comments.

Councilwoman Holloway commented as follows: i) She stated that Festive Friday brochures had been distributed and went on to congratulate Cape Charles Main Street (CCMS) and Julie Pruitt for their hard work. She encouraged everyone to go down Mason Avenue to see the beautiful Christmas lights. CCMS had worked so hard to raise funding to decorate Mason Avenue. All of her weekends in December were sold out; ii) She thanked John Hozey for his perseverance and leadership, adding that

he guided everyone with incredible wisdom. A lot of great processes were adopted, and we were here tonight to celebrate the success.

Councilman Grossman commented as follows: i) He echoed Councilwoman Holloway's comments regarding John Hozey. The amount of effort he put into getting everything together and working with the consultants, etc. was very much appreciated; ii) He thanked Virginia American Water for their assistance with their consulting services in getting us through the issues in dealing with the various violations.

Councilman Buchholz expressed his agreement regarding Virginia American Water and their willingness to step in to provide their assistance in getting through the issues. He also thanked John Hozey and the Town staff who worked in the background. It was a tremendous amount of work and effort. It took a team to accomplish this. We had a good team and good leader.

Councilman Follmer expressed his agreement with all the previous comments. He thanked John Hozey for his wisdom in planning the process and rolling everything out to the public. He stated that he was uncomfortable with the idea when the process began. He did not envision the final vote as we had it earlier tonight, with buy-in from the majority of the community. It was not an easy feat. John Hozey led us through the process brilliantly. Virginia American Water stepped up and built a lot of confidence in the community. He also thanked the staff for their work. It was a very stressful process. He also thanked the water and wastewater teams and hoped that they were as excited about the next chapter as the Council was.

Mayor Dize thanked John Hozey for all he had done.

Motion made by Councilwoman Holloway, seconded by Councilman Buchholz, to adjourn the Town Council Public Hearing & Special Meeting. The motion was approved by unanimous vote.

The Public Hearing & Special Meeting adjourned at 7:01 p.m.

Mayor Dize

Town Clerk

**November 10, 2022 Town Council Public Hearing & Special Meeting
Comments and Information Provided in Writing**



BID LETTER

TO: THE HONORABLE COUNCIL OF THE
TOWN OF CAPE CHARLES, VIRGINIA

The undersigned, VIRGINIA-AMERICAN WATER COMPANY, respectfully submits this bid for the franchise rights proposed to be granted by the ordinance of the Council of the Town of Cape Charles, Virginia, entitled:

“AN ORDINANCE GRANTING TO VIRGINIA-AMERICAN WATER COMPANY, ITS SUCCESSOR OR ASSIGNS THE EXCLUSIVE RIGHT, INSOFAR AS AND TO THE FULL EXTENT THAT THE TOWN CAN LAWFULLY GRANT SUCH RIGHT, FOR THE TERM AND UPON THE CONDITIONS HEREINSTATED, TO USE THE STREETS, ALLEYS AND PUBLIC PLACES OF THE TOWN OF CAPE CHARLES, TO ACQUIRE, MAINTAIN AND OPERATE A WATERWORKS SYSTEM AND A WASTEWATER SYSTEM IN SAID TOWN, TO LAY, REMOVE, REPAIR, REPLACE AND MAINTAIN WATER AND WASTEWATER PIPES, MAINS, SERVICE PIPES, HYDRANTS, FIRE HYDRANTS, FIXTURES AND APPURTENANCES IN THE PRESENT AND FUTURE STREETS, ALLEYS AND PUBLIC PLACES OF SAID TOWN, TO SUPPLY WATER AND WASTEWATER SERVICE FOR DOMESTIC, PUBLIC, MANUFACTURING AND OTHER PURPOSES WITHIN THE TOWN OF CAPE CHARLES AND TO TRANSPORT THROUGH THE TOWN TO OTHER MUNICIPALITIES AND UNINCORPORATED AREAS WHERE SERVICES MAY NOW OR HEREAFTER BE FURNISHED BY MEANS OF THE EXISTING DISTRIBUTION OR COLLECTION SYSTEMS AND MAINS OR AS THE SAME BE HEREAFTER EXTENDED, REPLACED, RELOCATED, OR PARALLELED BY ADDITIONAL MAINS FROM TIME TO TIME.”

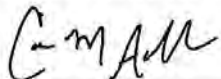
Virginia-American Water Company (the “Company”) proposes to operate under the franchise according to the terms of the franchise agreement, subject to acquiring the necessary facilities in accordance with the comprehensive asset purchase agreement. Further, any acceptance of this franchise agreement by the Company is contingent upon the Company obtaining all necessary regulatory approvals from the Virginia State Corporation Commission, in form and substance acceptable to the Company in the Company’s sole and absolute discretion, to acquire the necessary facilities and provide utility service in the Town of Cape Charles.

WE KEEP LIFE FLOWING®

THE HONORABLE COUNCIL OF THE
TOWN OF CAPE CHARLES, VIRGINIA

IN WITNESS WHEREOF, Virginia-American Water Company has caused these presents to be signed by its Vice President thereunto duly authorized, and attested by its Corporate Secretary thereunto duly authorized, this 9th day of November 2022.

VIRGINIA-AMERICAN WATER COMPANY

By 
Vice President - Operations

ATTESTED:


Corporate Secretary



DRAFT
TOWN COUNCIL
Work Session
Cape Charles Civic Center
November 28, 2022
6:30 PM

At approximately 6:30 p.m. Mayor William "Smitty" Dize, having established a quorum, called to order the Work Session of the Town Council. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Buchholz, Follmer and Grossman, and Councilwoman Holloway. Councilwoman O'Brien was not in attendance. Also, in attendance were Councilman-elect Ken Butta, Town Manager John Hozey, Treasurer Deborah Pocock, Planner & Zoning Administrator Katie Nunez, and Town Clerk Libby Hume. There was one member of the public in attendance.

FY 2023 Mid-Year Budget Review:

Town Manager John Hozey explained that some changes were made to the budget earlier today and the updated pages were distributed. The main changes were due to the receipt of the outstanding invoice from the contractor for the sludge cleanup from the last spill at the wastewater plant. Staff had initially guesstimated the amount as \$50K, but the actual invoice was \$115K. Adjustments had to be made in several places in the budget.

John Hozey went on to review the adjustments:

General Fund Revenue: i) The prior year personal property, business license, transient occupancy, meals taxes and the Town's share of the County cigarette tax projected revenue were all increased based on collections; ii) About @209K would be appropriated from the General Fund Balance to offset the projected deficit in the Utility Fund.

General Fund Expenditures:

Town Manager: i) Due to an oversight, regular wages overtime and seasonal wages for beach attendants were omitted from the original budget. \$2K was added for regular wages overtime and \$10K was added for seasonal wages; ii) \$44K was added to Professional Services for consulting services for the PPEA utilities sale and State Corporation Commission package; iii) A new line item for the one time offset to the Utilities Fund was also included in the Town Manager budget.

Finance Dept: \$2K was added to Part-time Salaries & Wages and Overtime to cover the expense when Libby Luettinger came back to work on a part-time basis earlier this year until a vacancy in the department was filled.

Police Department: i) \$3,350 was added for a drone package for the police department; ii) \$2,541 was added to cover the cost of a replacement computer, software and accessories when the chief's computer crashed earlier this year.

Public Works: \$30K was added to Repair & Maintenance Supplies for the library HVAC repairs.

Capital Projects Fund – Revenue: i) The USDA Rural Development Grant line was reduced by about \$18K. Due to the timing of the lawn equipment purchase, no grant/loan was available; ii) The two grants obtained by Cape Charles Main Street (\$30K from the Tourism ARPA Grant, and \$25K from the Northampton Infrastructure Grant) were added to help with the cost of the downtown restroom/visitors center project; ii) \$11K, which represented .5% of the projected meals tax collections, was added to this fund; iii) The Loan Proceeds from USDA Rural Development was reduced by about \$30K, deducting the Public Works equipment. The loan funding would now be used for the BS&A software upgrade for the Building and Planning Department; iv) \$220K of the remaining

ARPA funding was transferred from the Special Activities Fund for the downtown restroom / visitors center. About \$40K of ARPA funding remained in the Special Activities Fund.

Capital Projects Fund – Expenditures: i) \$275K was added to Buildings & Improvements for the municipal center, library condominiumization and downtown restroom/visitors center; ii) \$12K was added in the Computers, Software & Electronic Equipment Planning line for the BS&A software upgrade for the planning and building departments. As discussed earlier, this would be covered by a USDA Rural Development Grant/Loan.

Public Utilities Fund – Revenue: i) The facility reserve funds were moved to a new investment account and the increase in Dividends & Interest on Investments for the Utilities amounted to about \$55K; ii) \$373,683 was transferred from the General Fund Balance to offset the deficit in lieu of a utility rate increase.

Public Utilities Fund – Expenditures:

Utility Administration: \$44K was added to the Contingency Fund Expense Utility Fund line item as an estimated amount for three outstanding violations. John Hozey noted that he had a meeting with representatives from the Department of Environmental Quality later this week to discuss the violations.

Waterworks: \$9,320 was added to Licensing for the cost of the groundwater withdrawal permit.

Wastewater: i) The Landfill Disposal – Sludge line was increased by \$214K to cover the cost for clean-up from the October spill; ii) \$53K was added in Engineering & Architect Services for the capacity study.

Harbor Fund: \$25K was transferred from the Harbor Fund Balance for carryover repair projects from FY 2022 – roller replacements, removal of damaged pile, and pile adjustments.

Sanitation Fund: \$15K was transferred from the Sanitation Fund Balance for the contract rate increase for trash collection.

John Hozey stated that the public notice for the FY 2023 Budget Amendment had to be submitted to the newspaper tomorrow morning to meet the state requirements for the December 15 public hearing. Deborah Pocock would make the final adjustments to the ad for submittal.

Annual Survey:

John Hozey distributed a copy of the 2021 survey for Council review along with the proposed 2022 survey. Council reviewed the questions and multiple-choice answers, and some additional language was suggested for several of the questions. John Hozey would update the questions and provide them to Julie Pruitt to develop the survey in Survey Monkey. Hard copies would also be included with the utility billing. The survey would go out as soon as possible with a response deadline of January 13, 2023. All the responses would be compiled, and the report would probably be available for review in February.

Town Priorities List:

John Hozey distributed a copy of the May 2022 Town Priorities showing those items which were completed and those still in progress. He noted that the items from May 2022 which were still in progress were listed among the top items for 2023 and explained that although Council had approved and committed to a project, it remained on the Priorities list since staff time was still needed to work through the process to complete the project.

There was much debate about the order of the projects. Vice Mayor Bennett suggested each Council member designating their preferred order of projects on the list and submit it to John Hozey to review and re-prioritize.

John Hozey advised Council to try to focus on all the work that had been done on the May 2022 Priorities list and items being carried over onto the 2023 Priorities list. Everything on the list was important and labor-intensive. The projects at the top of the list were in progress and would be completed soon. All the items would take time and resources and he was hesitant to move other items up on the list since it would increase expectations which could not be met. He would take all Council comments and input, compile the results from the upcoming citizen survey, and a work session would be scheduled to discuss the priorities again and finalize it for Council adoption. He asked Town Clerk Libby Hume to poll Council for their availability through March so the first quarter 2023 schedule could be developed.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to adjourn the Town Council Work Session. The motion was approved by unanimous vote.

The meeting adjourned at 8:31 p.m.

Mayor William "Smitty" Dize

Town Clerk



DRAFT
TOWN COUNCIL
Executive Session
Cape Charles Civic Center
November 30, 2022
6:30 PM

At 6:33 p.m. Vice Mayor Steve Bennett, having established a quorum, called to order the Executive Session of the Cape Charles Town Council. In addition to Vice Mayor Bennett, in attendance were Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O'Brien. Mayor Dize was not in attendance. Also, in attendance were Councilman-elect Ken Butta, Town Manager John Hozey and Project Manager Bob Panek.

Motion made by Councilwoman Holloway, seconded by Councilman Grossman, and unanimously approved to go into Executive Session in accordance with Section 2.2-3711.A of the Code of Virginia for the purpose of: Paragraph 6: Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

Specifically: Annexation Agreement Negotiations with Preserve Communities

There were no members of the public in attendance at this time.

Council went into executive session at 6:34 p.m.

Motion made by Councilman Buchholz, seconded by Councilman Grossman, to return to open session. The motion was approved by unanimous vote.

The open portion of the meeting resumed at 8:49 p.m. There were no members of the public waiting to return to the meeting.

Certification, to the best of each member's knowledge, that (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the public body. Roll call vote: Bennett, yes; Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes; O'Brien, yes.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to adjourn the Town Council Executive Session. The motion was approved by unanimous vote.

The Executive Session adjourned at 8:50 p.m.

Vice Mayor Bennett

Town Clerk



DRAFT
TOWN COUNCIL
Executive Session
Cape Charles Civic Center
December 1, 2022
6:30 PM

At approximately 6:30 p.m. Mayor William "Smitty" Dize, having established a quorum, called to order the Executive Session of the Cape Charles Town Council. In addition to Mayor Dize, in attendance were Vice Mayor Bennett, Councilmen Follmer and Grossman, and Councilwomen Holloway and O'Brien. Councilman Buchholz was not in attendance. Also, in attendance were Councilman-elect Ken Butta, Town Manager John Hozey and Town Clerk Libby Hume.

Motion made by Vice Mayor Bennett, seconded by Councilman Grossman, and unanimously approved to go into Executive Session in accordance with Section 2.2-3711.A of the Code of Virginia for the purpose of: Paragraph 1: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

Specifically: Interviews for Planning Commission

There were no members of the public in attendance at this time.

Council went into executive session at 6:31 p.m.

Motion made by Councilman Grossman, seconded by Councilman Follmer, to return to open session. The motion was approved by unanimous vote.

The open portion of the meeting resumed at 7:57 p.m. There were no members of the public waiting to return to the meeting.

Certification, to the best of each member's knowledge, that (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the public body. Roll call vote: Bennett, yes; Follmer, yes; Grossman, yes; Holloway, yes; O'Brien, yes.

Motion made by Councilman Grossman to appoint Mr. Bill Ashworth and Ms. Shannon Smith to the Planning Commission effective January 1, 2023. The motion was approved by unanimous vote.

Vice Mayor Bennett stated that because of the qualifications of two of the candidates, as discussed during the Planning Commission interviews, he made the motion to appoint Ms. Karen Jolly Davis and Mr. John Schoeneck to the Wetlands & Coast Dune Board to fill the vacancies on that board, pending their acceptance. The motion was seconded by Councilman Grossman. The motion was approved by unanimous vote.

Motion made by Councilman Follmer, seconded by Councilman Grossman, to adjourn the Town Council Executive Session. The motion was approved by unanimous vote.

The Executive Session adjourned at 7:59 p.m.

Mayor Dize

Town Clerk

DRAFT



DRAFT
PLANNING COMMISSION & TOWN COUNCIL
Joint Public Hearing
Cape Charles Civic Center
December 6, 2022
6:00 p.m.

At 6:07 p.m., Chairman Bill Stramm, having established a quorum, called to order the Public Hearing and Regular Meeting of the Planning Commission. In addition to Chairman Stramm, present were Commissioners Kenneth Butta, Paul Grossman, Jim Holloway, Dennis McCoy, and Michael Strub. There was one vacancy on the Commission. Also, in attendance were Anne Darby, Michael Stapor, and Noah Foster from Summit Engineering & Design. Planning/Zoning Administrator Katie Nunez, and Planning Technician Tracy Outten. There were 11 members of the public in attendance and 6 viewers on Facebook.

Mayor William "Smitty" Dize, having established a quorum, called to order the Public Hearing of the Town Council. In addition to Mayor Dize, present were Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O'Brien. Vice Mayor Bennett had a work conflict so was not in attendance. Also, in attendance were Mayor-elect Adam Charney, Councilman-elect Ken Butta, Town Manager John Hozey, and Town Clerk Libby Hume.

A moment of silence was observed which was followed by the recitation of the Pledge of Allegiance.

PUBLIC HEARING PUBLIC COMMENTS:

Chairman Stramm read the Notice of Public Hearings for each item, then opened the floor for comments.

- A. Joint public hearing to receive comment on the recommendation and adoption of the proposed revisions to the Comprehensive Plan. The Comprehensive Plan is a guide for future development in the Town of Cape Charles. It outlines where the Town and its residents are at the time of its creation, where they want to go in the future, and the steps it will take to get there. This document, upon adoption by Town Council, will update and supersede the previous Comprehensive Plan, adopted in 2009 and amended in 2016. The Comprehensive Plan has been updated in the categories of Housing, Economy, Transportation, Community Facilities and Services, Environmental and Land Use which includes proposed revisions to the Future Land Use Map and accompanying Future Land Use categories, which will be used to make future changes to the Town's Zoning Map. The Comprehensive Plan document does contain an updated Zoning Map that reflects all zoning map amendments approved by town Council between July 10, 2008, when the Zoning Map was last adopted, through July 21, 2022 when the most recent zoning map amendment was approved; this Zoning Map is included and requested to be ratified only as a representation of previously approved actions of Town Council for zoning map amendments. There are no proposed zoning map amendments reflected or included on the zoning map.

Ms. Anne Darby provided an overview of the update process to date

L. D. Davis, resident/property owner

Ms. Davis addressed the Planning Commission and Town Council regarding the proposed Future Land Use Designations for the corner lots on the south side of Randolph Avenue. (Please see attached.)

Bill Bridgeforth, resident/property owner

Mr. Bridgeforth stated that he had been in Cape Charles for nine years and applauded the Council

and Planning Commission for the great job done with the Town over the years. He asked that Randolph Avenue be kept as residential. He understood that the gentleman living across the street from him wanted to turn his property into commercial use. This would be easy to do if this proposal were passed, but he and the residents on Randolph Avenue would prefer Randolph to remain as residential. He was okay with Strawberry Street and Fig Street having some commercial properties but the south side of Randolph needed to remain residential.

Joe Fehrer, resident/property owner

Mr. Fehrer reiterated Mr. Bridgeforth's comments and thanked the Council and Commissioners for their time. Regarding the Future Land Use Map, he would also like to suggest that the corner lots of Randolph Avenue remain in their current zoning designations. He realized that there were some currently zoned commercial or commercial/residential properties which could remain, but please do not extend the commercial zoning on Randolph Avenue. If a property owner wished to change their zoning, there was a process in place. Please reconsider the land use designations for the corner lots fronting Randolph Avenue.

Nancy Perry, resident

Ms. Perry stated that she was a fairly new resident. She had lived and worked in Portsmouth for 20 years and had always wanted to move here. She expressed her agreement with the previous speakers by applauding all the work done by the Planning Commissioners and Town Council. The one exception was the desire to rezone the corner lots on Randolph Avenue as mixed use. Randolph Avenue was the gateway into the Town and once this change was made, there would be a ripple effect throughout town. She asked that this recommendation be tabled until further review could be done, and that the plan be approved without the rezoning of Randolph Avenue. She also commented that the way this information was placed in the Comprehensive Plan, she had to look closely at the map to see this recommendation. She wished it would have been more transparent.

Katie Nunez read three comments submitted in writing from the Historic District Civic League, Cynthia Woodmansee, and Robert Suppa. (Please see attached.)

Motion made by Commissioner Grossman, seconded by Commissioner Holloway, to close the public hearing for the Comprehensive Plan. The motion was approved by unanimous vote.

Motion made by Councilwoman Holloway, seconded by Councilman Buchholz, to close the public hearing for the Comprehensive Plan. The motion was approved by unanimous vote.

- B. Joint public hearing to receive comment on a re-affirmation of the Historic District Overlay Map (Zoning Map Amendment [ZMA] 2022-02) and to amend Cape Charles Zoning Ordinance Section 8.3 (Inventory of Landmarks and Contributing Properties Established) to include a new paragraph describing the Historic District Overlay.

Katie Nunez stated that through the process of researching this information, the official records were inadequate. We knew the Historic District Overlay Map was approved but there were not actual Town Council meeting minutes to verify the area. It had been submitted to the State and approved. This information was being included to re-affirm the area. The only change was to merge the two overlay maps for Historic and Harbor Areas into one, more useful map. The description of the boundaries was also being added as it was essential to ensure there would be no future confusion.

There were no public comments to be heard nor any comments submitted in writing prior to the hearing.

Motion made by Commissioner Grossman, seconded by Commissioner Strub, to close the

public hearing for the Historic District Overlay Map and associated text amendments. The motion was approved by unanimous vote.

Motion made by Councilwoman Holloway, seconded by Councilman Buchholz, to close the public hearing for the Historic District Overlay Map and associated text amendments. The motion was approved by unanimous vote.

Commissioner Stramm read the public hearing notices for items C. through K. for these items to be handled under one public hearing.

- C. Zoning Text Amendment (ZTA) 2022-02 application from the town of Cape Charles to Amend Section 3.2 (District Regulations - Single Family Residential District R-1) (I – Development Standards) (6) – Delete the following: ~~Vinyl siding will be permitted as long as each individual clapboard is no wider than five inches.~~
Section 3.6 (District Regulations – Commercial District C-1) (F – Development/Redevelopment Standards: (1.e) – Delete the following: ~~aluminum or vinyl siding.~~
- D. Zoning Text Amendment (ZTA) 2022-03 application from the Town of Cape Charles to amend Section 8.3 (Inventory of Landmarks and Contributing Properties Established) as follows: The Town of Cape Charles has established as part of this ordinance a map covering the area included in the Historic District, based on the criteria set forth in this ordinance **and fully described under within Section 8.3 as described in ZMA 2022-02 and further contained in Chapter 1 of the Newly Revised Historic District Guidelines as adopted by the Town Council on (Date to be inserted) and** this map shall be as much a part of this ordinance as if fully described herein. Pending further amendment of this ordinance, the period of significance for the Town will be from 1883 to 1964 as delineated in the Cape Charles Historic District National Register of Historic Places (amended 2019). **Said listing as prepared in 2019 of all contributing and non-contributing properties will be attached as an Exhibit to the newly revised Historic District Guidelines** as identified in the National Register, structures or sites designated as properties which contribute to the historic character of the Town shall be known as contributing properties for the purpose of this Ordinance. Structures or sites not designated as landmark or contributing properties shall be known as noncontributing properties. Should a building or structure within the boundaries of the historic district not be listed in the national register, the building or structure will be classified as noncontributing. The map may be amended from time to time in the same manner as the zoning district map.
- E. Zoning Text Amendment (ZTA) 2022-04 application from the Town of Cape Charles to Amend Section 8.4 – Application of the District; Relation to Other Zoning Districts to add to the end of the paragraph the following: **Where the overlay district and its Design Guidelines present stricter standard, the stricter standard prevails pursuant to Code of Virginia Section 15.2-2306.**
- F. Zoning Text Amendment 2022-005 to amend Section 8.8 (Historic Board: Terms) by adding the following: The members of the Historic District Review Board shall be appointed by the Town Council. The Membership shall consist of five citizens, at least three of whom shall be residents of the local historic district; **said appointments are at the will of Town Council.**
- G. Zoning Text Amendment (ZTA) 2022-06 application from the Town of Cape Charles to Amend Section 8.14 (E) Historic District Review Board; Powers and Duties **to insert the month and year of the newly revised Historic District Guidelines, once adopted by Town Council.**

- H. Zoning Text Amendment (ZTA) 2022-07 application from the Town of Cape Charles to delete Section 8.20 – Design Guidelines: Recommendations for Review Items since guidelines have been included in the newly proposed guideline:
~~(D) Separate guidelines shall be developed for all new infill buildings in Cape Charles’ historic district. New infill construction will not diminish, detract, or distract from the character of surrounding historic buildings or the overall historic district.~~
~~(E) Alterations and additions to non-contributing structures that affect the exterior appearance of the structure or additions should be compatible with the district following the guidelines for new (infill) construction. Criteria for non-contributing structures may be less restrictive than that applied to contributing structures.~~
- I. Zoning Text Amendment (ZTA) 2022-08 application from the Town of Cape Charles to amend Section 8.20 (A) as follows: The Historic District Review Board shall be guided in its decisions by the design guidelines but must also use independent judgement and discretion to consider the unique characteristics of each request. The board is expected to work with each applicant to assist them in achieving their goal while preserving the character of the district. The board **and staff shall** ~~may~~ utilize the pre-application review process as defined in Section 8.25.A.
- J. Zoning Text Amendment (ZTA) 2022-09 application from the Town of Cape Charles to amend Section 8.25 (A) as follows: Pre-application review: Persons considering action that requires a certificate of appropriateness, as set forth in this ordinance, are ~~to request and/or to review~~ **the fully proposed application and scope of work with Planning & Zoning staff** ~~an informal informational meeting with the Zoning Administrator and at least one member of the Historic District Review Board~~ prior to submitting a ~~formal~~ **completed** application for a certificate of appropriateness. ~~Requests for such informational meetings can be made to the zoning administrator, who will contact a member of the board. The informational meeting will occur within thirty (30) days of receipt of such a request. The purpose of said review with staff of an informational meeting is to review the design guidelines and standards and the procedures for obtaining a certificate of appropriateness. Neither the applicant nor the zoning administrator/ or staff member board member(s) shall be bound by any informational meeting or conceptual review. Zoning administrator can use discretion on the need for a preapplication meeting or the inclusion of a board representative depending on the nature of project proposed;~~
- K. Zoning Text Amendment 2022-10 application from the Town of Cape Charles to amend Section 8.29 – Certificates of Appropriateness as follows: Any certificate issued pursuant to this article shall expire of its own limitation ~~twelve (12)~~ **six (6)** months from the date of issuance if the work authorized thereby is not commenced by the end of such ~~twelve (12)~~ **six (6)** month period; and further, any such certificate shall also expire and become null and void if such authorized work is suspended or abandoned for a period of ~~twelve (12)~~ **six (6)** months after being commenced. Any period or periods of time during which the right to use any such certificate is stayed pursuant to this article shall be excluded from the computation of the ~~twelve (12)~~ **six (6)** months.

Katie Nunez thanked Chairman Stramm for reading the content of the proposed zoning text amendments relating to the historic district and proceeded as follows: i) These proposed text amendments along with the Historic District Design Guidelines would be going to Town Council for action at their December 15th meeting; ii) The proposed amendments were in making the language consistent with the language in the Guidelines; iii) She noted one correction in the notice for item I, where she inadvertently crossed out “may” instead of “shall.” The intent was to ease the requirement for a pre-application review; iv) The issue of vinyl siding had been a conflict for many years. It was being deleted in the Zoning Ordinance but did not mean that vinyl siding could not be considered. It could potentially be used as an alternative material and the alternative material process was outlined in the Historic District Design Guidelines; v) The updated historic inventory was received and included more accessory structures. The updated

inventory would be added to the website to make it easier to determine whether a structure was a contributing or non-contributing structure.

There were no public comments to be heard nor any comments submitted in writing prior to the hearing.

Motion made by Commissioner Grossman, seconded by Commissioner Holloway, to close the public hearing for the zoning text amendments. The motion was approved by unanimous vote.

Motion made by Councilman Buchholz, seconded by Councilwoman Holloway, to close the public hearing for the zoning text amendments. The motion was approved by unanimous vote.

Motion made by Councilwoman Holloway, seconded by Councilman Buchholz to adjourn the Town Council Public Hearing. The motion was approved by unanimous vote.

The joint public hearing was adjourned at 6:51 p.m.

Planning Commission Chair

Mayor Dize

Town Clerk

**December 6, 2022 Planning Commission & Town Council Joint Public Hearing
Comments and Information Provided in Writing**

L. D. Davis, resident/property owner

Thank you, Council members and Planning Commissioners for this opportunity to comment.

I live at the corner of Randolph and Peach – I frequently refer to it as Hollywood and Vine as it is one of the busiest intersections in town. I am concerned about the potential change to corner properties on the south side of Randolph. Changing them from residential to a mix of residential and commercial becomes problematic.

The historic district would begin to lose its charm for guests and residents if these changes are made to one of its major thoroughfares. Adding the potential for additional commercial property use on the 2nd widest street in town is a recipe for disaster. Randolph cannot handle the parking needs from existing residences much less the addition of potential commercial establishments.

Please spend your valuable time working to solve the existing parking problems. Please vote “no” to the expansion of commercial properties from Mason to Randolph corners. Once the toothpaste is out of the tube you will never get it back in the tube again.

Historic District Civic League

Subject: Comment on the Cape Charles Comprehensive Plan

- i. The Cape Charles Historic District Civic League conducted a review of the Town of Cape Charles Comprehensive Plan at the monthly meeting on November 28, 2022.
- ii. The Civic League commends the professionalism that went into the preparation of the Comprehensive Plan.
- iii. The Civic League review identified the following incompatibility with the Entrance Corridor into the Historic District.
 - a. On page 64 of the Comprehensive Plan, under the Transportation chapter, there is a reference to the “Accomack-Norhampton Planning District Commission (A-NPDC) Regional Long Range Transportation Plan:”
 - i. One of the projects cited is to “perform a study to assess need and operations for a roundabout” at the intersection of VA 184 (Randolph Avenue) at Fig Street.
 - ii. A roundabout at this intersection seems to be incompatible with a Town Council resolution requesting VDOT to install marked crosswalks to enable those on foot or in wheelchairs a safe way to cross these streets to get to/from Rayfield’s Pharmacy.
 - iii. We recommend that the study be expelled, and that the scope of the study be expanded to study ways to accommodate crosswalk(s) while facilitating vehicular traffic throughout this intersection.

Cynthia Woodmansee, resident

Re: Updated Comprehensive Plan

Dear Ms. Nunez and Commissioners:

I have followed with interest, the process the town has undertaken to update the vision and governing documents, namely the Comprehensive Plan, Historic District Guidelines, and Zoning Text Amendments. I would like to thank the town’s staff and our elected officials who have taken part in this tedious and laborious process. This type of process is often a thankless task but, the upkeep of these documents is essential for communicating the town’s vision for the future while offering critical guidance for the growth and maintenance of our historically designated town. I particularly appreciate the systematic methodology that was used by various stakeholders to review, compare, and revise these documents. Thank you all who have been involved in this effort.

Within the Updated Comprehensive Plan, I have noted a revision to the Future Land Use Designations section which contemplates a “Historic District Mixed Use” designation for the properties located on the

blocks between Mason and Randolph Avenues. I am assuming these blocks were identified as areas that can serve as transitions from the largely commercial activity of Mason Avenue to predominately residential activity on Randolph Avenue. From my read of the draft Plan, this expanded "Historic District Mixed Use" corridor will include the properties on the south corners of Randolph Avenue.

I think identifying this corridor for mixed use is fine and follows acceptable urban/suburban planning standards but, I also think there should be some clarification around the properties in this corridor that face Randolph Avenue. Because the majority of Randolph Avenue is zoned residential and is to remain so, it could be potentially awkward to have "mixed use" properties on every corner of the south side of the avenue. Aesthetically, it could lead to a patchwork look that has a mixture of commercial and residential buildings and all the specifics that come with each type of property. Practically, it could lead to additional traffic, a greater need for parking, and the diminishment of currently available parking when business owners find the need for loading zones and handicap parking on Randolph Avenue. Additionally, Randolph Avenue is the natural extension of the entry corridor into Cape Charles and is regularly used by our first responders as the main point of ingress and egress to the town. Avoiding the spill over of commercial activity onto Randolph Avenue will help keep this thoroughfare as a clear path for emergency personnel.

It is this aspect of the Comprehensive Plan that may be in need of further address. I would respectfully ask the Planning Commission to consider excluding the properties that face Randolph Avenue from the "mixed use" corridor. In support of this idea, I believe there is a reasonable argument that the properties on Randolph, currently zoned residential, should remain so in order to protect the historically residential nature of the street. This minor alteration to the newly expanded "Historic District Mixed Use" corridor would not necessarily preclude a property owner from applying for an appropriate zoning exception but would clearly signal the desire of the town to retain the residential nature of Randolph Avenue.

I appreciate the opportunity to address the Planning Commission with my concerns and thank you for your work on these important matters.

Robert Suppa, resident

I live on the northeast corner of Peach and Randolph, probably the busiest intersection in the town. It's a major shortcut to Mason Avenue from Randolph it seems. Anytime I look south I can predict the following:

1. There will be a mass of vehicles parked in the middle of the street, some facing east, some facing west, both of which adds to the congested nature of the street.
2. There will be vehicles and golf carts driving in the wrong direction between Randolph and Mason causing the intersection to become clogged usually when people are trying to walk across the street.
3. There will be delivery trucks of all sizes at all times of the day and evening further complicating the already chaotic scene.
4. Families with little children cross the street wondering if the vehicle approaching them, in a hurry to get to the 2 restaurants or the convenience store, will stop for them while they are in the middle of the street. I have seen this happen many times and it still scares me.

That is just 4 examples of the problems on the border of the commercial zone and the residential zone.

Moving the commercial zone further north to include properties on the corners of Randolph Avenue is in my mind, an idea I do not support. Randolph Avenue, historically speaking, is a residential street and should remain that way.

Thank you.

September 2022 Treasurer's Report

Page 1 – Cash Position

- No comments.

Page 2 – Revenue vs. Expenditures

- No comments.

Page 3 – Capital Projects

- A payment was made to HBA Architecture firm on the Municipal Center project.
- A payment was made to Land Studio for work on Phase III of the Trail Project.

Page 4 – Tax Collection Rate

- N/A until November when tax bills are created and mailed.

Page 5 – Tax Revenue Trends

- Meals and transient occupancy taxes are showing hearty growth.
- Harbor dockage is down by 3.2% YTD. High fuel prices over the summer may have impacted boaters' travel decisions.
- Planning and building fees continue to increase - they are up 46.8% over last year.

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
September 30, 2022

<u>Cash on Hand</u>	<u>8/31/2022</u>	<u>9/30/2022</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account	\$390,732	\$411,233	\$20,501
Atlantic Union Bank Money Market Account	\$3,230,921	\$3,125,368	-\$105,554
LGIP Account 1 - Unrestricted	\$104,839	\$105,061	\$222
LGIP Account 2 - Unrestricted	\$303,197	\$303,904	\$707
Total Cash On Hand	\$4,029,690	\$3,945,566	-\$84,123

<u>Restricted and Reserved Cash Balances</u>	<u>8/31/2022</u>	<u>9/30/2022</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account - Police Funds	\$431	\$431	\$0
LGIP Account 2 - Restricted for USDA loan covenant	\$30,033	\$30,033	\$0
Atlantic Union checking Acct Library CD converted to cash	\$11,131	\$11,131	\$0
Atlantic Union Bank Checking Acct - E-Summons Revenue Rsrvd	\$8,519	\$8,890	\$372
US Bank - Reserved per VRA Interest Free Loan Requirements	\$258,028	\$258,398	\$371
Wells Fargo 2010 Debt Service pass through account #300	\$2,911	\$2,926	\$15
Wells Fargo 2010 Debt Service pass through account #308	\$764	\$765	\$1
Atlantic Union Money Market # ARPA CRF #5847	\$1,057,598	\$1,057,728	\$130
Virginia Investment Pool Liquidity Acct#1 Facility Fees Rsrvd (Utilities)	\$2,493,413	\$2,603,738	\$110,325
Virginia Investment Pool Liquidity Acct#2, Surety Bond Escrow Rsrvd	\$142,997	\$143,298	\$301
Total Cash Held in Reserve	\$4,005,824	\$4,117,339	\$111,515
Total Cash - All Accounts	\$8,035,514	\$8,062,906	\$27,392

DEBT SERVICE

Net Debt as of Current Reporting Month End (Excludes USDA vehicle and equipment loans)	\$5,702,735
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MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

September 30, 2022

REVENUE VS. EXPENDITURES

<u>FUND</u>	<u>CURRENT MONTH</u>	<u>PRIOR YEAR-TO-DATE</u>	<u>CURRENT YEAR-TO-DATE</u>	<u>INCREASE/ (DECREASE) YTD</u>	<u>ANNUAL BUDGET</u>	<u>% REALIZED/ EXPENDED FY23</u>
GENERAL Operations						
REVENUE	\$330,650	\$697,133	\$945,954	\$248,821	\$4,030,694	23.47%
EXPENDITURES	\$277,014	\$816,213	\$1,053,972	\$237,760	\$4,030,694	26.15%
NET	\$53,635	(\$119,079)	(\$108,018)	\$11,062	\$0	
GENERAL Capital						
REVENUE	\$10,504	\$26,410	\$31,321	\$4,911	\$1,950,314	1.61%
EXPENDITURES	\$72,086	\$848	\$126,729	\$125,881	\$1,950,314	6.50%
NET	(\$61,582)	\$25,562	(\$95,408)	(\$120,970)	\$0	
GENERAL Debt Service						
REVENUE	\$0	\$104,166	\$104,498	\$332	\$249,571	41.87%
EXPENDITURES	\$0	\$104,166	\$104,498	\$332	\$249,571	41.87%
NET	\$0	\$0	\$0	\$0	\$0	
GENERAL Special Activities						
REVENUE	\$19,500	\$81,342	\$551,185	\$469,843	\$919,350	59.95%
EXPENDITURES	\$19,500	\$121,423	\$48,487	-\$72,936	\$919,350	5.27%
NET	\$0	(\$40,081)	\$502,698	\$542,779	\$0	

MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

September 30, 2022

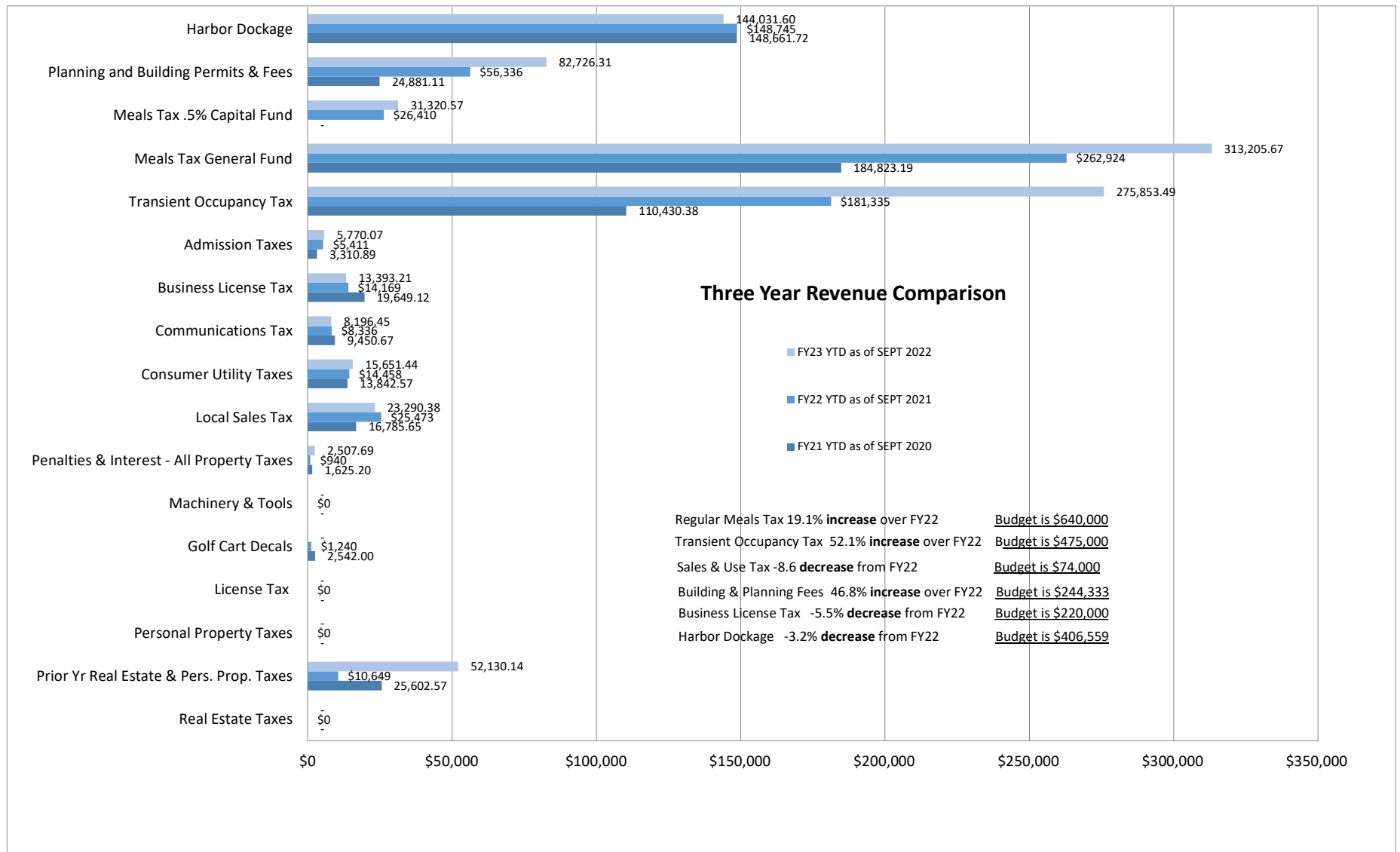
REVENUE VS. EXPENDITURES

<u>FUND</u>	<u>CURRENT MONTH</u>	<u>PRIOR YEAR-TO-DATE</u>	<u>CURRENT YEAR-TO-DATE</u>	<u>INCREASE/ (DECREASE) YTD</u>	<u>ANNUAL BUDGET</u>	<u>% REALIZED/ EXPENDED FY23</u>
PUBLIC UTILITIES						
REVENUE - Operating	\$180,817	\$490,745	\$531,390	\$40,645	\$2,137,020	24.87%
EXPENDITURES - Operating	\$85,097	\$136,813	\$231,142	\$94,330	\$1,120,101	20.64%
NET	\$95,720	\$353,933	\$300,248	(\$53,685)	\$1,016,919	
REVENUE - CAPITAL GRANTS, LOANS	\$0	\$0	\$0	\$0	\$0	#DIV/0!
REVENUE - FACILITY FEES	\$92,114	\$116,600	\$198,114	\$81,514	\$466,400	42.48%
EXPENDED - FACIL FEES, CAPITAL PROJECTS, DEBT SVC	\$92,114	\$207,166	\$239,052	\$31,886	\$1,016,919	23.51%
TOWN CONTRIB. & PENDING GRANTS	\$0	(\$90,566)	(\$40,938)	\$49,628	(\$1,016,919)	
HARBOR						
REVENUE - Operating	\$109,704	\$323,552	\$420,062	\$96,510	\$1,007,545	41.69%
EXPENDITURES - Operating	\$101,199	\$253,182	\$353,305	\$100,123	\$957,438	36.90%
NET	\$8,505	\$70,370	\$66,756	(\$3,613)	\$50,107	
REVENUE - GRANTS & LOANS	\$0	\$0	\$0	\$0	\$41,893	0.00%
TRANSFERRED FM GEN FUND FOR DEBT SERVICE	\$0	\$33,094	\$32,825	-\$268	\$104,950	31.28%
EXPENDED - Capital Projects, Debt Svc	\$0	\$33,094	\$32,825	-\$268	\$196,950	16.67%
TOWN CONTRIB. & PENDING GRANTS	\$0	\$0	\$0	\$0	(\$50,107)	
SANITATION						
REVENUE	\$23,611	\$61,223	\$70,112	\$8,889	\$442,253	15.85%
EXPENDITURES	\$22,228	\$51,382	\$59,964	\$8,582	\$442,253	13.56%
NET	\$1,383	\$9,841	\$10,147	\$307	\$0	

FY 2023 Capital Improvement Project Tracking Report

As of:
9/30/2022

9/30/2022	FY23 Status or Start Date	Percent of Completion	FY23 Budgeted	QTR 1 Expended	QTR 2 Expended	QTR 3 Expended	QTR 4 Expended	FY23 YTD Expended	(Over)/Under Budget
General Capital Fund									
Multi-Use Trails, Phase 3 Construction	Pending	1%	\$ 929,922	\$ 10,833	\$ -	\$ -	\$ -	10,833	\$ 919,089
Municipal Space Replacement Planning (ARPA)	In process	11%	\$ 550,000	\$ 61,253	\$ -	\$ -	\$ -	61,253	\$ 488,747
Library Upgrade & Condo-ization	Pending	0%	\$ 34,000	\$ -	\$ -	\$ -	\$ -	-	\$ 34,000
Mason Avenue Parking Lot Improvement	Pending	0%	\$ 20,000	\$ -	\$ -	\$ -	\$ -	-	\$ 20,000
Mason Avenue Restroom	Pending	0%	\$ 110,000	\$ -	\$ -	\$ -	\$ -	-	\$ 110,000
South Beach Restroom Renovation	Pending	0%	\$ 40,000	\$ -	\$ -	\$ -	\$ -	-	\$ 40,000
Gator for Public Works Staff	Pending	0%	\$ 26,500	\$ -	\$ -	\$ -	\$ -	-	\$ 26,500
Grounds Maintenance Equipment for PW	In process	78%	\$ 33,270	\$ 26,016	\$ -	\$ -	\$ -	26,016	\$ 7,254
Central Park Game Area for Adults (CCP)	Pending	0%	\$ 29,000	\$ -	\$ -	\$ -	\$ -	-	\$ 29,000
Storage Facility (3 x conexes + roofing)	Pending	0%	\$ 20,000	\$ -	\$ -	\$ -	\$ -	-	\$ 20,000
Capital Project Contingency		0%	\$ 75,040	\$ -	\$ -	\$ -	\$ -	-	\$ 75,040
subtotal	\$ -		\$ 1,867,732	\$ 98,102	\$ -	\$ -	\$ -	98,102	\$ 1,769,630
Utility Fund -Water									
Keck Well Connection (Engineering)	Pending	0%	\$ 60,000	\$ -	\$ -	\$ -	\$ -	-	\$ 60,000
Utility Fund - Wastewater									
Sewer Pod Controller Upgrades Phase 2 of 5	Pending	0%	\$ 14,500	\$ -	\$ -	\$ -	\$ -	-	\$ 14,500
subtotal	\$ -		\$ 74,500	\$ -	\$ -	\$ -	\$ -	-	\$ 74,500
Harbor Fund									
Fuel System-Relocate Emergency Stop Switches	Pending	0%	\$ 10,000	\$ -	\$ -	\$ -	\$ -	-	\$ 10,000
Fuel Management System Replacement	Pending	0%	\$ 42,000	\$ -	\$ -	\$ -	\$ -	-	\$ 42,000
Inner Harbor King Pile & Waler Replacement Design	Pending	0%	\$ 40,000	\$ -	\$ -	\$ -	\$ -	-	\$ 40,000
subtotal	\$ -		\$ 92,000	\$ -	\$ -	\$ -	\$ -	-	\$ 92,000
TOTAL	\$ -		\$ 2,034,232	\$ 98,102	\$ -	\$ -	\$ -	98,102	\$ 1,936,130
*ITEMS WITH CURRENT MONTH ACTIVITY ARE IN BOLD PRINT									



October 2022 Treasurer's Report

Page 1 – Cash Position

- No comments.

Page 2 – Revenue vs. Expenditures

- No comments.

Page 3 – Capital Projects

- Several payments were made to HBA Architecture firm on the Municipal Center project.
- A payment was made to Land Studio for Phase III of the Trail Project.
- A payment was made for concrete in Central Park's adult game area.

Page 4 – Tax Collection Rate

- N/A until November when tax bills are created and mailed.

Page 5 – Tax Revenue Trends

- Meals and transient occupancy taxes are showing tremendous growth!
- Planning and Building fees continue to increase – they are up 46.8% over last year.

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
October 31, 2022

<u>Cash on Hand</u>	<u>9/30/2022</u>	<u>10/31/2022</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account	\$411,233	\$344,687	-\$66,547
Atlantic Union Bank Money Market Account	\$3,125,368	\$2,975,758	-\$149,610
LGIP Account 1 - Unrestricted	\$105,061	\$105,342	\$281
LGIP Account 2 - Unrestricted	\$303,904	\$304,797	\$893
Total Cash On Hand	\$3,945,566	\$3,730,584	-\$214,983

<u>Restricted and Reserved Cash Balances</u>	<u>9/30/2022</u>	<u>10/31/2022</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account - Police Funds	\$431	\$431	\$0
LGIP Account 2 - Restricted for USDA loan covenant	\$30,033	\$30,033	\$0
Atlantic Union checking Acct Library CD converted to cash	\$11,131	\$11,131	\$0
Atlantic Union Bank Checking Acct - E-Summons Revenue Rsrvd	\$8,890	\$9,520	\$629
US Bank - Reserved per VRA Interest Free Loan Requirements	\$258,398	\$258,820	\$422
Wells Fargo 2010 Debt Service pass through account #300	\$2,926	\$2,931	\$5
Wells Fargo 2010 Debt Service pass through account #308	\$765	\$767	\$1
Atlantic Union Money Market # ARPA CRF #5847	\$1,057,728	\$1,057,863	\$135
Virginia Investment Pool Liquidity Acct#1 Facility Fees Rsrvd (Utilities)	\$2,603,738	\$2,702,786	\$99,048
Virginia Investment Pool Liquidity Acct#2, Surety Bond Escrow Rsrvd	\$143,298	\$143,677	\$379
Total Cash Held in Reserve	\$4,117,339	\$4,217,959	\$100,620
Total Cash - All Accounts	\$8,062,906	\$7,948,543	-\$114,363

DEBT SERVICE

Net Debt as of Current Reporting Month End
(Excludes USDA vehicle and equipment loans)

\$5,582,148

MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

October 31, 2022

REVENUE VS. EXPENDITURES

<u>FUND</u>	<u>CURRENT MONTH</u>	<u>PRIOR YEAR-TO-DATE</u>	<u>CURRENT YEAR-TO-DATE</u>	<u>INCREASE/ (DECREASE) YTD</u>	<u>ANNUAL BUDGET</u>	<u>% REALIZED/ EXPENDED FY23</u>
GENERAL Operations						
REVENUE	\$214,964	\$890,849	\$1,160,919	\$270,070	\$4,030,694	28.80%
EXPENDITURES	\$240,182	\$1,015,450	\$1,279,397	\$263,947	\$4,030,694	31.74%
NET	(\$25,218)	(\$124,601)	(\$118,478)	\$6,123	\$0	
GENERAL Capital						
REVENUE	\$7,038	\$33,162	\$38,358	\$5,196	\$1,950,314	1.97%
EXPENDITURES	\$29,640	\$848	\$156,369	\$155,521	\$1,950,314	8.02%
NET	(\$22,603)	\$32,314	(\$118,011)	(\$150,325)	\$0	
GENERAL Debt Service						
REVENUE	\$0	\$104,166	\$104,498	\$332	\$249,571	41.87%
EXPENDITURES	\$0	\$104,166	\$104,498	\$332	\$249,571	41.87%
NET	\$0	\$0	\$0	\$0	\$0	
GENERAL Special Activities						
REVENUE	\$16,085	\$102,128	\$567,270	\$465,142	\$919,350	61.70%
EXPENDITURES	\$9,972	\$196,432	\$58,460	-\$137,973	\$919,350	6.36%
NET	\$6,112	(\$94,304)	\$508,810	\$603,115	\$0	

MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

October 31, 2022

REVENUE VS. EXPENDITURES

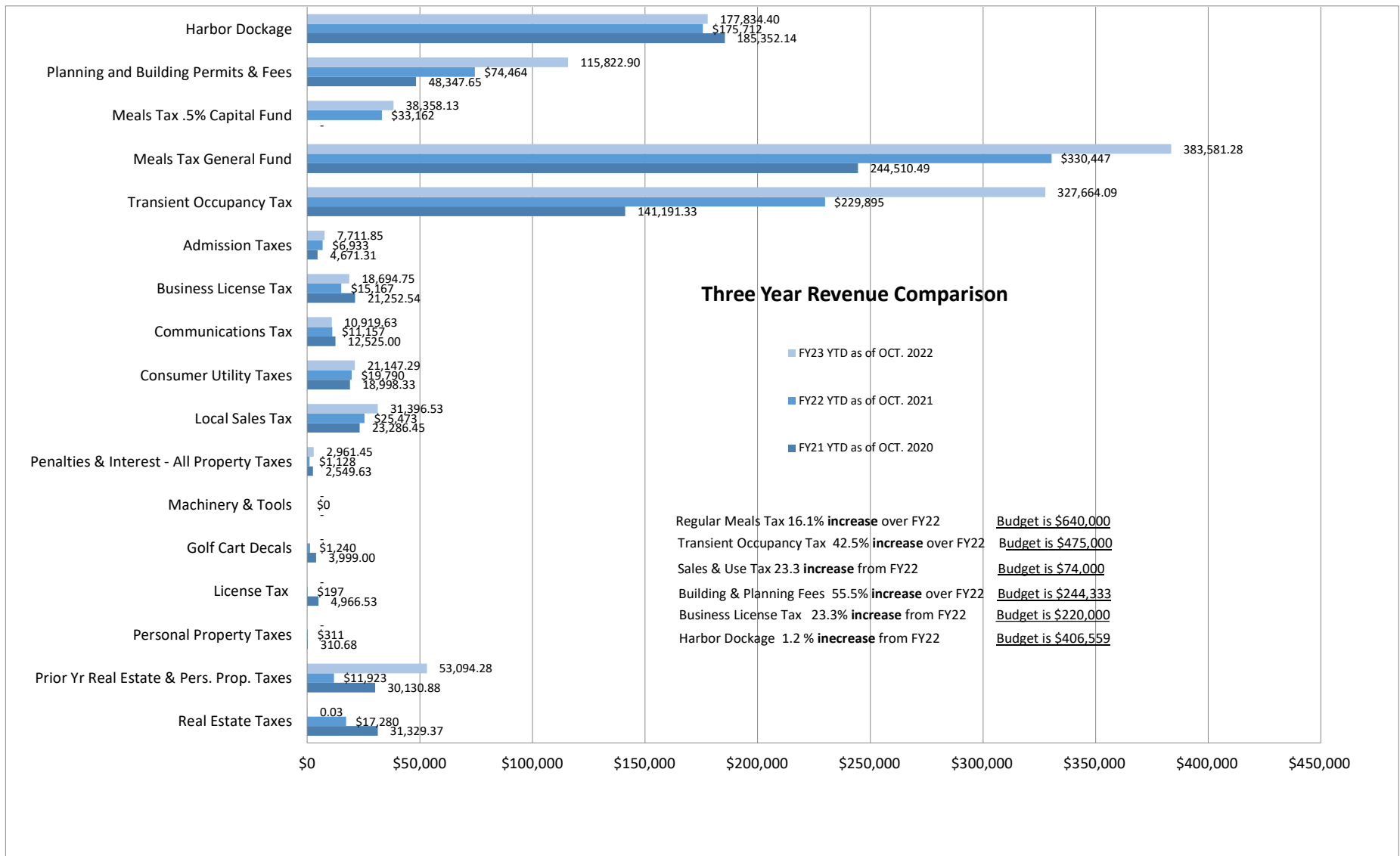
<u>FUND</u>	<u>CURRENT MONTH</u>	<u>PRIOR YEAR-TO-DATE</u>	<u>CURRENT YEAR-TO-DATE</u>	<u>INCREASE/ (DECREASE) YTD</u>	<u>ANNUAL BUDGET</u>	<u>% REALIZED/ EXPENDED FY23</u>
PUBLIC UTILITIES						
REVENUE - Operating	\$167,164	\$649,419	\$698,555	\$49,136	\$2,137,020	32.69%
EXPENDITURES - Operating	\$221,338	\$286,854	\$513,346	\$226,493	\$1,120,101	45.83%
NET	(\$54,174)	\$362,565	\$185,209	(\$177,356)	\$1,016,919	
REVENUE - CAPITAL GRANTS, LOANS	\$0	\$0	\$0	\$0	\$0	#DIV/0!
REVENUE - FACILITY FEES	\$31,800	\$127,200	\$229,914	\$102,714	\$466,400	49.30%
EXPENDED - FACIL FEES, CAPITAL PROJECTS,DEBT SVC	\$152,387	\$290,300	\$363,019	\$72,719	\$1,016,919	35.70%
TOWN CONTRIB. & PENDING GRANTS	(\$120,587)	(\$163,100)	(\$133,105)	\$29,995	(\$1,016,919)	
HARBOR						
REVENUE - Operating	\$82,478	\$414,944	\$502,540	\$87,596	\$1,007,545	49.88%
EXPENDITURES - Operating	\$59,776	\$337,931	\$413,081	\$75,150	\$957,438	43.14%
NET	\$22,702	\$77,013	\$89,458	\$12,445	\$50,107	
REVENUE - GRANTS & LOANS	\$0	\$30,754	\$0	-\$30,754	\$41,893	0.00%
TRANSFERRED FM GEN FUND FOR DEBT SERVICE	\$0	\$33,094	\$32,825	-\$268	\$104,950	31.28%
EXPENDED - Capital Projects, Debt Svc	\$0	\$33,094	\$32,825	-\$268	\$196,950	16.67%
TOWN CONTRIB. & PENDING GRANTS	\$0	\$30,754	\$0	(\$30,754)	(\$50,107)	
SANITATION						
REVENUE	\$23,527	\$81,952	\$93,639	\$11,686	\$442,253	21.17%
EXPENDITURES	\$22,022	\$70,448	\$81,986	\$11,538	\$442,253	18.54%
NET	\$1,505	\$11,505	\$11,653	\$148	\$0	

FY 2023 Capital Improvement Project Tracking Report

As of:
10/31/2022

	FY23 Status or Start Date	Percent of Completion	FY23 Budgeted	QTR 1 Expended	QTR 2 Expended	QTR 3 Expended	QTR 4 Expended	FY23 YTD Expended	(Over)/Under Budget
<u>General Capital Fund</u>									
Multi-Use Trails, Phase 3 Construction	<u>Pending</u>	1%	\$ 929,922	\$ 10,833	\$ 1,237	\$ -	\$ -	12,070	\$ 917,852
Municipal Space Replacement Planning (ARPA)	<u>In process</u>	16%	\$ 550,000	\$ 61,253	\$ 28,403	\$ -	\$ -	89,657	\$ 460,344
Library Upgrade & Condo-ization	<u>Pending</u>	0%	\$ 34,000	\$ -	\$ -	\$ -	\$ -	-	\$ 34,000
Mason Avenue Parking Lot Improvement	<u>Pending</u>	0%	\$ 20,000	\$ -	\$ -	\$ -	\$ -	-	\$ 20,000
Mason Avenue Restroom	<u>Pending</u>	0%	\$ 110,000	\$ -	\$ -	\$ -	\$ -	-	\$ 110,000
South Beach Restroom Renovation	<u>Pending</u>	0%	\$ 40,000	\$ -	\$ -	\$ -	\$ -	-	\$ 40,000
Gator for Public Works Staff	<u>Pending</u>	0%	\$ 26,500	\$ -	\$ -	\$ -	\$ -	-	\$ 26,500
Grounds Maintenance Equipment for PW	<u>In process</u>	73%	\$ 33,270	\$ 24,228	\$ -	\$ -	\$ -	24,228	\$ 9,042
Central Park Game Area for Adults (CCP)	<u>Pending</u>	19%	\$ 29,000	\$ 5,414	\$ -	\$ -	\$ -	5,414	\$ 23,586
Storage Facility (3 x conexes + roofing)	<u>Pending</u>	0%	\$ 20,000	\$ -	\$ -	\$ -	\$ -	-	\$ 20,000
FY22 Carryforward - New public trash cans	<u>complete</u>	100%	\$ 25,000	\$ 25,000	\$ -	\$ -	\$ -	25,000	\$ -
Capital Project Contingency		0%	\$ 75,040	\$ -	\$ -	\$ -	\$ -	-	\$ 75,040
subtotal	\$ -		\$ 1,892,732	\$ 126,729	\$ 29,640	\$ -	\$ -	156,369	\$ 1,736,363
<u>Utility Fund - Water</u>									
Keck Well Connection (Engineering)	<u>Pending</u>	0%	\$ 60,000	\$ -	\$ -	\$ -	\$ -	-	\$ 60,000
<u>Utility Fund - Wastewater</u>									
Sewer Pod Controller Upgrades Phase 2 of 5	<u>Pending</u>	0%	\$ 14,500	\$ -	\$ -	\$ -	\$ -	-	\$ 14,500
subtotal	\$ -		\$ 74,500	\$ -	\$ -	\$ -	\$ -	-	\$ 74,500
<u>Harbor Fund</u>									
Fuel System-Relocate Emergency Stop Switches	<u>Pending</u>	0%	\$ 10,000	\$ -	\$ -	\$ -	\$ -	-	\$ 10,000
Fuel Management System Replacement	<u>Pending</u>	0%	\$ 42,000	\$ -	\$ -	\$ -	\$ -	-	\$ 42,000
Inner Harbor King Pile & Waler Replacement Design	<u>Pending</u>	0%	\$ 40,000	\$ -	\$ -	\$ -	\$ -	-	\$ 40,000
subtotal	\$ -		\$ 92,000	\$ -	\$ -	\$ -	\$ -	-	\$ 92,000
TOTAL	\$ -		\$ 2,059,232	\$ 126,729	\$ 29,640	\$ -	\$ -	156,369	\$ 1,902,863

*ITEMS WITH CURRENT MONTH ACTIVITY ARE IN BOLD PRINT



 TOWN OF CAPE CHARLES	AGENDA TITLE: Presentation: Proposed Workforce Housing Project – Bay Crossing & Zoning Text Amendment Request – Resolution of Intent		AGENDA DATE December 15, 2022
	SUBJECT/PROPOSAL/REQUEST: Bay Crossing Workforce Housing Project		ITEM NUMBER: 3A & 8A
	ATTACHMENTS: (1) Aerial Map with water and sewer lines and Ongoing Work Notes and progress; (2) Conceptual Plan dated 11.30.2022 – 2 sided; (3) PUD Ordinance dated 12.12.2022 (4) Zoning Text Amendment Application; and (5) Zoning Map Amendment Application; and (6) Chart re Income to Rent		FOR COUNCIL: Action (X) Information (X)
	STAFF CONTACT (s): Katie H. Nunez Planning & Zoning Administrator		REVIEWED BY: John Hozey, Town Manager

BACKGROUND:

Since early spring 2022, the Town has been engaged in discussions with Lance Marine regarding a potential workforce housing development. As we have learned about possible unit sizes of the housing units and types (micro-studios, 1 and 2 bedroom units) and the possible # of units per building (approximately 60, we looked hard at the current zoning district for Tax Map #90-19-A (total of 11.75 acres approximately) of Residential-3 and recognized that it had limitations that did not fully support the type of project Mr. Marine was envisioning. Enclosed is aerial map of the parcel between Cassatt Parkway and Old Cape Charles Road that I created to help start to track some of the larger issues that would need to be addressed for this parcel, such as water and sewer, which are being handled by the Town Manager and the Developer.

At that time, I began looking at the PUD Ordinance template in the Cape Charles Zoning Ordinance and felt that this would be the best vehicle for this type of project being proposed and discussed this with Mr. Marine and he also felt that this would provide the flexibility he was seeking both relative to density, house unit size and some other development requirements and have been working with the developer and his attorney on a draft PUD Zoning Ordinance targeted for workforce housing with the project name of “Bay Crossing”.

Mr. Marine has also been working on draft conceptual plans for the site to show at least two uses occurring on the property as required by our PUD Template Ordinance and is still working on the specific conceptual plans for buildings, units, etc.

Enclosed at this time is the conceptual site plan for 5 acres (the minimum required for a PUD) and the remaining acreage 6.76 shown as the residual lot.

ITEM SPECIFICS:

Mr. Marine will be providing a comprehensive overview of his proposed project, including the layout and details of the conceptual site plan. As soon as I receive the conceptual renderings for the property (buildings, landscaping, etc and the housing units, etc), I will forward through the Town Clerk to the full Town Council and they will be part of Mr. Marine’s presentation to the Town Council.

You will see on the site plan, certain notations within the building layout - they equate to the following:

- S1 = Micro/Studio – size of approximately 360 sq. ft
- S2 – Micro Studio – size of approximately 365 sq. ft.
- A1 = 1 bedroom/1 Bath Unit of approximately 520 sq. ft.
- B1 = 2 bedroom/2 bath unit of approximately 700 sq. ft.
- B2 = 2 bedroom/2 bath unit of approximately 702 sq. ft.

The Zoning Text Amendment Application has been completed and submitted and includes the full Bay Crossing PUD Zoning Ordinance and a Zoning Map Amendment application has also been completed and submitted but

is still awaiting the owner affidavit form to be submitted since the property is still owned by General Builders LLC with the property under a purchase agreement with a period of due diligence for the prospective buyer, which is Mr. Marine through Lot 4 Holdings LLC.

During the presentation from Mr. Marine, I will be able to supplement any discussion regarding the PUD ordinance and the steps required under the Town Zoning Ordinance regarding a zoning text amendment and a zoning map amendment.

As part of the proposed PUD, there is a definition of workforce housing. However, it may not be immediately evident as to the target market based upon income and how that may translate into a monthly rent cost. I have done a quick excel spreadsheet to give you the full range of income referenced and what a max amount of income should be spent on housing costs (rent & Utilities) – please note that we have not had the discussions as to what utilities would average, etc. so this spreadsheet would need to more refined as the project advances.

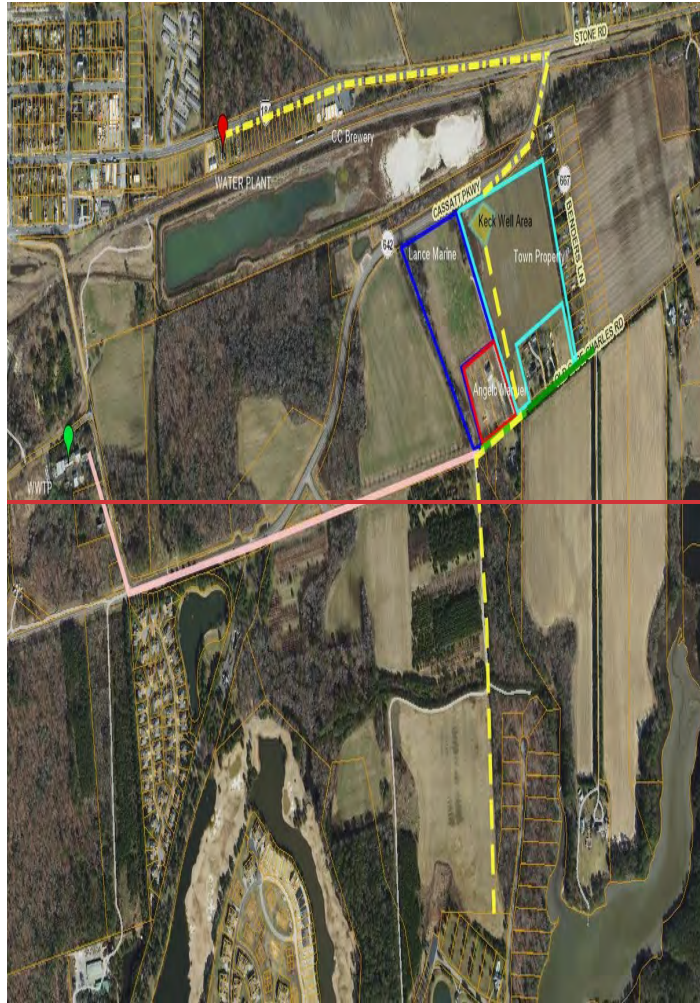
RECOMMENDATION:

I would recommend that the Town Council hear the full presentation from Mr. Marine and determine if the BAY CROSSING PUD Ordinance is sufficiently complete to adopt a Resolution of Intent (which I will have drafted for your December 15, 2022 meeting) to forward the zoning text amendment to the Planning Commission to start the public hearing process at their January 2021 meeting as well as the zoning map amendment.



NOTES:

- Town Council voted on 7/21/2022 to assign the sewer plans re: connecting the Marine/Manuel property to the WWTP which includes the 2 alternates to Lance Marine for obtaining prices only – there is no agreement between Town and developer re: cost allocation and/or reimbursement.
- Keck Wells – part of the Town Permit for the Water System but no water draw is occurring from the wells and no line connecting the wells to the Water Treatment Plant.
- GHD previously brought plans to connect the wells to 90% design stage. Task orders have been requested to bring to 100%, including a bidding package, and to modify our withdrawal permit beyond 360K/day.



MAP LEGEND

Teal Outline – Town Property with Keck
Well area shown

Blue Outline – Lance Marine Property

Red Outline – Angelo Manuel Property

Pink Line – Sewer Line – Base Bid
(WWTP to Marine/Manuel Property)

Light Yellow/GGreen Dash Line – Sewer
Line Alternate One (Marine/Manuel
Property to Town/Keck Well Property)

Green Line – Sewer Line Alternate Two
(Town/Keck Well Property to County
Line)

YELLOW MINI DASH LINE –
Approximate Water Line Path to
Connect Keck Wells to Water Plant
(Could run return line to bring treated
water back to the property)

YELLOW LARGE DASH LINE – Possible Alternate Water Line Path thru Bay Creek Creekside Lane Area

Town of Cape Charles

BAY CROSSING PLANNED UNIT DEVELOPMENT (“PUD”) DISTRICT

District Regulations

Section 1. BAY CROSSING PUD District

- 1) Statement of Intent. The intent of this PUD district is to provide for low-to-moderate density residential development designed to serve the workforce and other housing needs of the Town of Cape Charles and Northampton County. The targeted workforce housing segment income range is 80% to 150% of the Area Median Income (\$55,104 for Cape Charles) and no greater than 30% of income to be spent for housing costs (rent and utilities). Additionally, this district provides for residential and limited complimentary commercial development with substantial Town control by both the Town Council and Planning Commission thru the existing Conditional Use Permit process to ensure any proposed use and application is appropriate for the development and harmonious with the associated multi-family residential development.
- 2) Permitted Uses. The following uses shall be permitted by right, subject to the yard, height, coverage and density requirements contained herein: all uses permitted by-right and as accessory uses in the R-3 District and Electric Vehicle Charging Station(s). Notwithstanding the foregoing, the following items from the Zoning Ordinance shall be not applicable (i) Item #35 from the C-1 District (any use allowed in the S-C District) and (ii) Item C from the C-1 District.
- 3) Conditional Uses. Subject to the Conditional Use Permit application process, the following conditional uses may be allowed: all uses in the C-1, C-2 and C-3 Districts, conditional uses within the R-3 District and any other commercial or professional use which is compatible in nature with the allowed uses and which the Zoning Administrator determines to be compatible with the intent of the district and is concurred with by the Planning Commission.
- 4) LOT, YARD, HEIGHT, COVERAGE AND DENSITY REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT WITHIN THE BAY CROSSING PUD DISTRICT THE FOLLOWING STANDARDS SHALL APPLY:
 - a) In addition to the following, townhouse projects must have minimum of one acre:
 - A. Minimum lot requirements
 - (1) lot area dwelling units (sf): N/A
 - (2) lot width (ft): 15

Town of Cape Charles
Zoning Ordinance
DRAFT BAY CROSSING PLANNED UNIT DEVELOPMENT
PUD Regulations

- B. Minimum yard requirements
 - (1) front yard (ft): 10
 - (2) side yard between principal structures (ft): 20
 - (3) side yard between end structures and side property line (ft): 10
 - (4) side yard between units: N/A
 - (5) rear yard (ft): 10
 - (6) rear yard (parking in rear yard): 10
 - C. Maximum building height (ft): 40
 - D. Building coverage: No more than 60 percent of the lot may be covered by the structures.
 - E. Maximum development: No more than twenty-five townhouse dwelling units shall be constructed or attached together in a continuous row, and no such row shall exceed 240 feet in length.
 - F. Off-street parking: Parking shall be provided on the premises. No such parking lot or garage shall be located more than 200 feet from the dwelling unit which it serves (excluding non-residential parking such as guest, golf cart or flex parking). Two (2) spaces per dwelling unit shall be required.
 - G. The definition of a townhouse is a multi-floor home that shares one or more walls with adjacent properties.
- b) In addition to the following, multi-family projects must have minimum of one acre:
- A. Minimum lot requirements lot area per building (FAR): 0.35
 - B. Minimum yard requirements
 - (1) front yard (no parking in front yard) (ft): 30
 - (2) front yard (parking in front yard) (ft): 30
 - (3) side yard between separate structures (ft): 20
 - (4) side yard between end structure and side property line (ft): 20
 - (5) rear yard (no parking in rear yard) (ft): 20
 - (6) rear yard (parking in rear yard) (ft): 35
 - C. Furthermore, no multi-family unit may be erected on a lot which has a width at the building line of less than 60 feet.
 - D. Maximum building height (ft): 40
 - E. Building coverage: No more than 60 percent of the lot may be covered by the structure.
 - F. Parking: Multi-family projects must have one space per one bedroom dwelling unit or studio, otherwise two spaces per dwelling unit.
 - G. Required open space. Open space shall be provided equivalent to ten percent (10%) percent of lot area. For the purpose of this section, the term open space shall be construed to consist of open space amenities and spacing between buildings. Open space amenities include plazas, esplanades, landscaped areas, walkways, public recreational facilities, and the like designed and maintained for use by residents, pedestrians and open to the public. Where feasible, open space shall be designed to serve as part of a coordinated pedestrian circulation system.

Town of Cape Charles
Zoning Ordinance
DRAFT BAY CROSSING PLANNED UNIT DEVELOPMENT
PUD Regulations

- H. Development in this district may contain the density requirements of one or more of the R-1, R-2, and R-3 for residential districts, and CR, C-1, C-2 and C-3, for the commercial districts to accommodate flexibility and imaginative development designs. Density shall be consistent with conditions that are applicable to the property, such as topography, the character of the surrounding property, potential health or safety hazards, traffic safety considerations, and the effects upon existing public facilities that could be alleviated by a reduction in density.
 - I. Additional Development Terms. Placement of drives and parking areas. Entrances and exits, drives or parking area may be located adjacent to any lot line.
- 5) LOT, YARD, HEIGHT REQUIREMENTS FOR COMMERCIAL DEVELOPMENT WITHIN THE BAY CROSSING PUD DISTRICT:
- a) In addition to the following, commercial projects must have minimum of 1/4 acre:
 - A. Lot width at setback line (ft): 40
 - B. Side yard (ft): 5
 - C. Rear yard (ft): 10
 - D. Front setback (ft): 25 feet from center of right of way (defined as centerline of main street roadway) or 15 percent $\pm$ of the lot depth, whichever is less
 - E. Height Regulations. Buildings may be erected up to a height of 35 feet from the adjacent ground elevation.
 - F. Notwithstanding the foregoing, any electric vehicle charging stations shall be implemented with no setback or minimum land area restrictions provided they meet with adequate landscaping and screening requirements.
 - G. Buffer yards. The following Buffer Yards shall apply, in lieu of any other setbacks, as follows. If the PUD adjoins:
 - (1) Open Space/Conservation Easement zoning from the Accawmacke Plantation PUD, there shall be no buffer yard requirement.
 - (2) Old Cape Charles Road, there shall be a 100' buffer yard requirement.
 - (3) Cassatt Parkway, there shall be a 30' setback.
 - (4) RE or R3 Zoned property, there shall be a 20' setback.
- 6) Other applicable provisions and limitations as follows:
- A. Primary Access: All development on the Parcel shall maintain primary access (and signage, if applicable) to Cassatt Parkway via the Main Street access road.
 - B. All other provisions of the Cape Charles Zoning Ordinance shall apply to the PUD District unless stated herein. In the event there is a conflict between the PUD District and the applicable Zoning Ordinance, the PUD District terms shall apply, to the extent they are not inconsistent with the provisions of this chapter.



Zoning Text Amendment Application

Planning & Zoning Department
2 Plum Street; Cape Charles, VA 23310
757-331-3259 x24

planningtech@capecharles.org

Revised 12/2022

Taxes

Violations

Fee

\$200

Decision

PART 1. APPLICATION NOTES

1. A pre-application conference with Planning staff is strongly recommended prior to submission of a zoning text amendment.
2. The Zoning Text Amendment application process typically takes about four (4) months.
3. A Zoning Text Application may be submitted by any Cape Charles property owner. It may only be advanced to either the Planning Commission or the Town Council for a public hearing following staff consultation with the Town Manager.
4. Either the Planning Commission or Town Council may submit an application for a zoning text amendment with the Town Manager, Zoning Administrator or Planning Director representing the application on behalf of the Town.
5. The application will need to receive an affirmative vote of the Cape Charles Town Council or Cape Charles Planning Commission to step in as the applicant and to set a calendar advancing the application to public hearing in compliance with the Code of Virginia Section 15.2-2285 and 15.2-2204
6. The applicant will be required to make a presentation to fully explain the request and demonstrate its need. The presentation should show how the proposed change supports and maintains compliance with the goals and objectives of the Comprehensive Plan.
7. The final decision will be made by Town Council, which approves zoning text amendments at their legislative discretion.

PART 2: APPLICANT INFORMATION

Applicant Name: Lot 4 Holdings, LLC c/o Winmar Advisory

Cape Charles Address: N/A - Tax Map #: 90-19-A

Mailing Address: 2100 Reston Parkway, Suite 104, Reston, VA 20191

Email address: lance@winmaradvisory.com

Phone: 703.622.8156

If the applicant has property owned by an LLC, LP, or other form of corporation, list all landowners and their contact information.

Lance LJ Marine (same as above)

PART 3: Description of Request

Answer all questions in this section. Attach additional sheets as needed.

Submission Date:

Zoning Ordinance Sections Proposed to be Amended (Sec. # and Title):

Existing Text:

R3

Proposed Text:

Bay Crossing PUD (see attached)

PART 4: Written Narrative – Provide on a separate sheet(s)

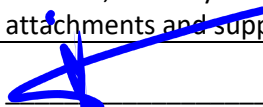
Provide a written narrative that, at a minimum, covers the following information:

- A) Relevant code section(s) to be amended and proposed changes to the Zoning Ordinance.
- B) Whether and the extent to which the proposed amendment is consistent with the comprehensive plan and any other applicable and adopted long range planning documents. Cite the document and page.
- C) Whether the proposed amendment is in conflict with any provision of the Zoning Ordinance and any other regulations contained in the City Code or other applicable regulations.
- D) Whether and the extent to which the proposed amendment addresses a demonstrated community need.
- E) Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.
- F) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, floodplains, wetlands, and the natural functioning of the environment.

Whether to amend the text of this Ordinance is a matter committed to the legislative discretion of the Town Council and is not controlled by any one factor. In determining whether to adopt or disapprove the proposed amendment, the Town Council may consider any factor it deems applicable and consistent with the Code of Virginia, including but not limited to the Town's comprehensive plan, and the public health, safety, and general welfare.

PART 5: Applicant Certification

By signing this application below, I hereby attest to the truth and accuracy of all facts and information presented with this application and any attachments and supplemental information submitted with the application.

Applicant's signature: 

Date: 12/12/2022

PART 6: To Be Completed by P & Z Department Staff

Date Application Received in Office:	Application #: ZTA
Planning Commission	Town Council
Date referred:	Date received from Planning Commission:
Action deadline (100 days from receipt):	Action deadline (max. 365 days from referral to PC):
Public hearing date:	Public hearing date:
Decision:	Decision:



Zoning Map Amendment Application

Planning & Zoning Department
2 Plum Street; Cape Charles, VA 23310
757-331-3259 x24

planningtech@capecharles.org

Revised 12/2022

Taxes

Violations

Fee

\$200

Decision

PART 1. APPLICATION NOTES

1. A pre-application conference is mandatory prior to submission of an application for a zoning map amendment.
2. A zoning map amendment application should be consistent with the Comprehensive Plan and therefore, may also require a Comprehensive Plan amendment, which should be approved prior to the zoning map amendment application.
3. The Town Council may not add conditions of approval to a zoning map amendment application.
4. If proffers are being offered, the proffer statements may not be less restrictive than the requested base zoning district standards.
5. If proffers are being offered, proffer statements may not be amended after the public notification of a public hearing to consider the application has been sent. The applicant may voluntarily offer proffered conditions as part of their application, which must be listed in a separate voluntary proffer statement using the template found on our website.

PART 2: PROPERTY INFORMATION

Property Address: N/A

Tax Map #: 90-19-A

Project name: Bay Crossing

Current Zoning District: R3

Does this application include proffers? ☒ No ☐ Yes, if so, attach separate form

Proposed Zoning District: PUD

PART 3: PROPERTY OWNER INFORMATION

Applicant Name: Lot 4 Holdings, LLC c/o Winmar Advisory, LLC

Mailing Address: 2100 Reston Parkway, Suite 104, Reston, VA 20919

Email address: lance@winmaradvisory.com

Phone: 703.622.8156

If property is owned by an LLC, LP, or other form of corporation, list all landowners and their contact information.

Lance LJ Marine (same as above)

Zoning Map Amendment Application (also referred to as a Rezoning or Conditional Rezoning) may be submitted by a Cape Charles property owner and may be advanced to public hearing, after this application is submitted to Town Council who authorizes said applications to public hearings, first to the Planning Commission in compliance with the Code of Virginia Section 15.2-2285 and 15.2-2204.

The applicant will be required to make a presentation to fully explain the request and demonstrate the need for said request and how the Comprehensive Plan supports and maintains compliance with the goals and objectives of the Comprehensive Plan

Additionally, the Planning Commission or Town Council may prepare and apply for a zoning map amendment with either the Town Manager or the Zoning Administrator or Planning Director representing the application on behalf of the Town.

PART 4: Written Description of Request – Answer all questions in this section. Attach additional sheets as needed.

- A) Describe the existing conditions on the property including existing land uses and buildings as well as the land uses and zoning districts on the abutting properties.

Unimproved land abutting Conservation Easement, RE Zoning and R3 zoning

- B) Describe how existing conditions have changed, thereby making the proposed amendment needed.

Unit size and layout

- C) Describe how the proposed amendment furthers the objectives of the Comprehensive Plan.

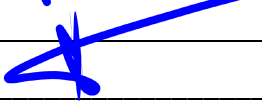
Provides workforce housing

- D) Describe why the proposed rezoning is necessary.

Economic viability for development

- E) Describe the proposed use of the rezoned property including a site plan with the proposed types of site improvements and buildings.

The intent of this PUD district is to provide for low-to-moderate density residential development designed to serve the workforce and other housing needs of the Town of Cape Charles and Northampton County. The targeted workforce housing segment income range is 80% to 150% of the Area Median Income (\$55,104 for Cape Charles) and no greater than 30% of income to be spent for housing costs (rent and utilities). Additionally, this district provides for residential and limited complimentary commercial development with substantial Town control by both the Town Council and Planning Commission thru the existing Conditional Use Permit process to ensure any proposed use and application is appropriate for the development and harmonious with the associated multi-family residential development.

Applicant's signature: 

Date: 12/12/2022

PART 5: To Be Completed by P & Z Department Staff

Date Application Received in Office:

Application #: ZMA

Planning Commission

Town Council

Date referred:

Date received from Planning Commission:

Action deadline (100 days from receipt):

Action deadline (max. 365 days from referral to PC):

Public hearing date:	Public hearing date:
Decision:	Decision:

***Numbers Explantation of Workforce Housing Definition
Prepared by Katie Nunez on 12-09-2022***

Workforce Housing Definition: Equal to or less than 150% of the Area Median Income (AMI) and no greater than 30% of income to be spent for housing costs (rent and utilities).	AMI From US Census \$55,104	30% of Income for Housing Costs - Rent & Utilities (Annual)	30% of Income for Housing Costs - Rent & Utilities (Monthly)
Percentage of AMI			
80%	\$ 44,083.20	\$ 13,224.96	\$ 1,102.08
81%	\$ 44,634.24	\$ 13,390.27	\$ 1,115.86
82%	\$ 45,185.28	\$ 13,555.58	\$ 1,129.63
83%	\$ 45,736.32	\$ 13,720.90	\$ 1,143.41
84%	\$ 46,287.36	\$ 13,886.21	\$ 1,157.18
85%	\$ 46,838.40	\$ 14,051.52	\$ 1,170.96
86%	\$ 47,389.44	\$ 14,216.83	\$ 1,184.74
87%	\$ 47,940.48	\$ 14,382.14	\$ 1,198.51
88%	\$ 48,491.52	\$ 14,547.46	\$ 1,212.29
89%	\$ 49,042.56	\$ 14,712.77	\$ 1,226.06
90%	\$ 49,593.60	\$ 14,878.08	\$ 1,239.84
91%	\$ 50,144.64	\$ 15,043.39	\$ 1,253.62
92%	\$ 50,695.68	\$ 15,208.70	\$ 1,267.39
93%	\$ 51,246.72	\$ 15,374.02	\$ 1,281.17
94%	\$ 51,797.76	\$ 15,539.33	\$ 1,294.94
95%	\$ 52,348.80	\$ 15,704.64	\$ 1,308.72
96%	\$ 52,899.84	\$ 15,869.95	\$ 1,322.50
97%	\$ 53,450.88	\$ 16,035.26	\$ 1,336.27
98%	\$ 54,001.92	\$ 16,200.58	\$ 1,350.05
99%	\$ 54,552.96	\$ 16,365.89	\$ 1,363.82
100%	\$ 55,104.00	\$ 16,531.20	\$ 1,377.60
101%	\$ 55,655.04	\$ 16,696.51	\$ 1,391.38
102%	\$ 56,206.08	\$ 16,861.82	\$ 1,405.15
103%	\$ 56,757.12	\$ 17,027.14	\$ 1,418.93
104%	\$ 57,308.16	\$ 17,192.45	\$ 1,432.70
105%	\$ 57,859.20	\$ 17,357.76	\$ 1,446.48
106%	\$ 58,410.24	\$ 17,523.07	\$ 1,460.26
107%	\$ 58,961.28	\$ 17,688.38	\$ 1,474.03
108%	\$ 59,512.32	\$ 17,853.70	\$ 1,487.81
109%	\$ 60,063.36	\$ 18,019.01	\$ 1,501.58
110%	\$ 60,614.40	\$ 18,184.32	\$ 1,515.36
111%	\$ 61,165.44	\$ 18,349.63	\$ 1,529.14
112%	\$ 61,716.48	\$ 18,514.94	\$ 1,542.91
113%	\$ 62,267.52	\$ 18,680.26	\$ 1,556.69
114%	\$ 62,818.56	\$ 18,845.57	\$ 1,570.46
115%	\$ 63,369.60	\$ 19,010.88	\$ 1,584.24
116%	\$ 63,920.64	\$ 19,176.19	\$ 1,598.02
117%	\$ 64,471.68	\$ 19,341.50	\$ 1,611.79
118%	\$ 65,022.72	\$ 19,506.82	\$ 1,625.57
119%	\$ 65,573.76	\$ 19,672.13	\$ 1,639.34
120%	\$ 66,124.80	\$ 19,837.44	\$ 1,653.12

Numbers Explanation of Workforce Housing Definition
Prepared by Katie Nunez on 12-09-2022

Workforce Housing Definition: Equal to or less than 150% of the Area Median Income (AMI) and no greater than 30% of income to be spent for housing costs (rent and utilities).	AMI From US Census \$55,104	30% of Income for Housing Costs - Rent & Utilities (Annual)	30% of Income for Housing Costs - Rent & Utilities (Monthly)
121%	\$ 66,675.84	\$ 20,002.75	\$ 1,666.90
122%	\$ 67,226.88	\$ 20,168.06	\$ 1,680.67
123%	\$ 67,777.92	\$ 20,333.38	\$ 1,694.45
124%	\$ 68,328.96	\$ 20,498.69	\$ 1,708.22
125%	\$ 68,880.00	\$ 20,664.00	\$ 1,722.00
126%	\$ 69,431.04	\$ 20,829.31	\$ 1,735.78
127%	\$ 69,982.08	\$ 20,994.62	\$ 1,749.55
128%	\$ 70,533.12	\$ 21,159.94	\$ 1,763.33
129%	\$ 71,084.16	\$ 21,325.25	\$ 1,777.10
130%	\$ 71,635.20	\$ 21,490.56	\$ 1,790.88
131%	\$ 72,186.24	\$ 21,655.87	\$ 1,804.66
132%	\$ 72,737.28	\$ 21,821.18	\$ 1,818.43
133%	\$ 73,288.32	\$ 21,986.50	\$ 1,832.21
134%	\$ 73,839.36	\$ 22,151.81	\$ 1,845.98
135%	\$ 74,390.40	\$ 22,317.12	\$ 1,859.76
136%	\$ 74,941.44	\$ 22,482.43	\$ 1,873.54
137%	\$ 75,492.48	\$ 22,647.74	\$ 1,887.31
138%	\$ 76,043.52	\$ 22,813.06	\$ 1,901.09
139%	\$ 76,594.56	\$ 22,978.37	\$ 1,914.86
140%	\$ 77,145.60	\$ 23,143.68	\$ 1,928.64
141%	\$ 77,696.64	\$ 23,308.99	\$ 1,942.42
142%	\$ 78,247.68	\$ 23,474.30	\$ 1,956.19
143%	\$ 78,798.72	\$ 23,639.62	\$ 1,969.97
144%	\$ 79,349.76	\$ 23,804.93	\$ 1,983.74
145%	\$ 79,900.80	\$ 23,970.24	\$ 1,997.52
146%	\$ 80,451.84	\$ 24,135.55	\$ 2,011.30
147%	\$ 81,002.88	\$ 24,300.86	\$ 2,025.07
148%	\$ 81,553.92	\$ 24,466.18	\$ 2,038.85
149%	\$ 82,104.96	\$ 24,631.49	\$ 2,052.62
150%	\$ 82,656.00	\$ 24,796.80	\$ 2,066.40

 TOWN OF CAPE CHARLES	AGENDA TITLE: Adoption of Comprehensive Plan		AGENDA DATE December 15, 2022
	SUBJECT/PROPOSAL/REQUEST: Adoption of Comprehensive Plan		ITEM NUMBER: 8B
	ATTACHMENTS: Draft Comprehensive Plan		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Katie H. Nunez, Planning & Zoning Administrator	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

In 2019, the Town began the review and update of the 2016 Comprehensive Plan. Since the 2016 Comprehensive Plan document was considered a “minor” update to the 2009 Comprehensive Plan, there was continued reference back to the appendices in the 2009 document. Part of the charge for this update was to develop a “stand alone” Comprehensive Plan, fully update statistics and relative demographic information, and develop goals and objectives for each required element of the Comprehensive Plan.

The Planning Commission initially took on this update; however, due to staffing changes between 2019 through 2021 as well as the impact on workload and in-person meetings due to COVID-19, the Town determined that involving a Planning Consultant firm was necessary to ensure that this update was completed in a timely fashion and contained a uniform voice in its text and narrative presentation.

The Town hired Summit Design and Engineering in summer/fall 2021 and they were provided all of the public engagement conducted by the Town up to that point and provided all of the draft chapters that had been worked upon by the Planning Commission to serve as the jumping off point in the development of the update.

A joint public hearing was held on December 6, 2022 and Anne Darby on behalf of Summit Design and Engineering gave a PowerPoint presentation and outlined the process and work done.

The following public comments were received:

- LD Davis of 112 Peach Street: concerned about the Future Land Use Map (FLUM) and the coloring of the side street from Mason to Randolph to Historic District Mixed Use; allows for an easier hurdle to be cleared if a rezoning of the corner lots that front on Randolph Avenue from Residential to Commercial is sought since the Comp Plan would be in favor of that type of rezoning. Does not feel the corner lots should be anything but Residential, or in the case of the FLUM, Historic Downtown Residential, especially for those lots that already have existing houses that front directly on Randolph Avenue.
- Bill Bridgeforth of corner of Randolph and Peach: keep Randolph Street residential. Everyone drives down Randolph Avenue when they come to town – this part of the entrance corridor. Need to keep as pleasing and charming as it currently is.
- Joe Fehrer of 14 Peach Street: keep corner lots on Randolph Avenue as a Residential Designation both on the Future Land Use Map and the Zoning Map
- Nancy Perry of 332 Randolph Avenue: agree with the previous speakers about land designations on Randolph Avenue.
- James Metz of CC Historic District Civic League – written comment: thanked Town for professional of the document; on page 64 of the Transportation chapter, there is reference to the “Accomack-Northampton Planning District Commission (A-NPDC)” Regional Long Range Transportation Plan which lists one project as a study to assess need and operations for roundabout at the intersection of VA 184 (Randolph Avenue) at Fig Street. This study seems to be incompatible with recent Town Council action requesting

VDOT to install marked crosswalks to enable those on foot or in wheelchairs a safe way to cross these streets to get to/from Rayfield's Pharmacy.

- Cynthia Woodmansee of 119 Peach Street: does not agree with the designation of Randolph Avenue as Historic Downtown Mixed use on the Future Land Use Map, specifically the corner lots.

There were no more comments and the public hearing was closed to public comment.

STAFF REVIEW:

The draft Comprehensive Plan was initially released in September 2022 and public input was solicited on the draft document. The Town held an informational meeting and also convened 2 work sessions of the Planning Commission & Town Council to review all comments received which were approximately 280 comments (please see "Public Input" Section pages 27-31 for additional information on public outreach).

In compliance with Code of Virginia Title 15.2, Chapter 22, Article 3: §15.2-2223 (4), the draft Comprehensive Plan has a Transportation Section and a Future Land Use Section and has submitted this to Accomack-Northampton Residency Office of the Virginia Department of Transportation (VDOT) on November 3, 2022 for their review. VDOT may take 90 days to provide its review and written comments to the locality. If the Town has not received confirmation from VDOT of their comments and/or acceptance of the Comprehensive Plan's Transportation Section at the meeting when the Town Council may be considering a vote on the document, then staff will lay out a proposed course of action.

The Plan contains all of the required components as listed in Code of Virginia Title 15.2, Chapter 22, Article 3: §22.2223 thru 2231 and fully meets the requirements of Code of Virginia Title 15.2, Chapter 22, Article 3: §15.2-2232.

The draft Comprehensive Plan document is available for review on the Town's website at <https://www.capecharles.org/docview.aspx?docid=30818>

PLANNING COMMISSION RECOMMENDATION

Commissioner Grossman wants to emphasize that the Harbor Master Plan and Design Guidelines are no longer active and have been archived as part of the Comprehensive Plan process and will be so marked and maintained on the Town Website as an archived Work Product. Staff has affirmed that that is the case and will be marked as such.

On motion by Commissioner Grossman and seconded by Commissioner McCoy, it was recommended that Town Council vote to adopt the November 23, 2022 draft Comprehensive Plan with the following amendments

- On Page 119, the designation reads the Historic District Mixed Use while on Page 22, the designation reads Historic Downtown Mixed Use – the designation title should read "Historic District Mixed Use" through whole document;
- On Page 149, add url as to where to locate the Master Tree Plan: <https://www.capecharles.org/docview.aspx?docid=12784>;
- On Page 118, the Future Land Use Map is amended to remove the Historic District Mixed Use Designation from the lots on Randolph Avenue and retain them with a Historic District Residential designation, except if the zoning is already Commercial in some capacity (to update the FLUM map anywhere else in the document); and
- On Page 64, request Town Council to petition the Accomack-Northampton Planning District Commission to re-examine the Regional Long Range Transportation Plan to either reconsider conducting a study to assess the need and operations for a roundabout at the intersection of VA 184 (Randolph Avenue) at Fig Street or to amend so that said study takes into consideration recent Town Council action petitioning VDOT to install marked crosswalks to enable those on foot or in wheelchairs a safe way to cross these streets to get to/from Rayfield's Pharmacy. The motion was carried unanimously with amendments.

TOWN COUNCIL

Town Council is requested to consider all public comments provided and consider favorably the motion from the Planning Commission with the 4 proposed amendments to the Comprehensive Plan document and to consider adopting **Resolution 20221215B**.

.

Resolution 20221215B
Adoption of the Town of Cape Charles
Comprehensive Plan Update

WHEREAS, the Code of Virginia, Title 15.2, Chapter 22, Section 15.2-2223 requires the Town of Cape Charles to prepare and recommend a Comprehensive Plan Update for the physical development of its territory, and Section 15.2 mandates that at least once every five years the Comprehensive Plan is reviewed by the local Planning Commission; and

WHEREAS, the Cape Charles Planning Commission reviewed the existing Comprehensive Plan and determined it advisable to update that plan; and

WHEREAS, in October 2021, the Town issued a request for proposals for consulting services to assist with the review, update, and publishing of the Town's Comprehensive Plan update in accordance with Code of Virginia §15.2-2230; and

WHEREAS, after review of the proposals, the Cape Charles Town Council approved awarding the contract to Summit Design and Engineering Services ("Summit"); and

WHEREAS, the Planning Commission, staff and the comprehensive plan review group have worked diligently with Summit regarding the proposed updates; and

WHEREAS, a Public Forum was held on October 6, 2022, with public comments accepted until October 24, 2022. A joint work session of the Planning Commission, Town Council and Summit was held on October 27, 2022 to discuss comments received and appropriate changes were incorporated into the final draft of the Town of Cape Charles Comprehensive Plan dated November 23, 2022; and

WHEREAS, the Cape Charles Planning Commission and Town Council held a joint public hearing on December 6, 2022. Following the joint public hearing, the Planning Commission discussed the comments received and recommended approval of the Town of Cape Charles Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of Cape Charles, Virginia adopts the November 23, 2022 Comprehensive Plan for the Town of Cape Charles.

Adopted by the Town Council of the Town of Cape Charles on December 15, 2022.

By: _____
Mayor

ATTEST:

Town Clerk



JOINT MEETING REPORT FOR PLANNING COMMISSION & TOWN COUNCIL STAFF REPORT

Meeting Date: December 6, 2022

Item #: 4a & 8a

Prepared by: Katie H. Nunez, Planning & Zoning Administrator

Date: November 28, 2022

APPLICANT: Town of Cape Charles

TYPE OF APPLICATION: Comprehensive Plan -
5 Year Update

DATE RECEIVED: November 18, 2022

DATE APPLICATION DEEMED COMPLETE: November 18, 2022

PLANNING COMMISSION PUBLIC HEARING: December 6, 2022

TOWN COUNCIL PUBLIC HEARING: December 6, 2022 (held jointly with Planning Commission)

DEADLINES FOR DECISIONS: Planning Commission (60 days from date of submission): **December 18, 2022**

In 2019, the Town began the review and update of the 2016 Comprehensive Plan. Since the 2016 Comprehensive Plan document was considered a “minor” update to the 2009 Comprehensive Plan, there was continued reference back to the appendices in the 2009 document. Part of the charge for this update was to develop a “stand alone” Comprehensive Plan, fully update statistics and relative demographic information, and develop goals and objectives for each required element of the Comprehensive Plan.

The Planning Commission initially took on this update; however, due to staffing changes between 2019 through 2021 as well as the impact on workload and in-person meetings due to COVID-19, the Town determined that involving a Planning Consultant firm was necessary to ensure that this update was completed in a timely fashion and contained a uniform voice in its text and narrative presentation.

The Town hired Summit Design and Engineering in summer/fall 2021 and they were provided all of the public engagement conducted by the Town up to that point and provided all of the draft chapters that had been worked upon by the Planning Commission to serve as the jumping off point in the development of the update.

STAFF COMMENTS:

The draft Comprehensive Plan was initially released in September 2022 and public input was solicited on the draft document. The Town held an informational meeting and also convened 2 work sessions of the Planning Commission & Town Council to review all comments received which were approximately 280 comments (please see “Public Input” Section pages 27-31 for additional information on public outreach).

In compliance with Code of Virginia Title 15.2, Chapter 22, Article 3: §15.2-2223 (4), the draft Comprehensive Plan has a Transportation Section and a Future Land Use Section and has submitted this to Accomack-Northampton Residency Office of the Virginia Department of Transportation (VDOT) on

November 3, 2022 for their review. VDOT may take 90 days to provide its review and written comments to the locality. If the Town has not received confirmation from VDOT of their comments and/or acceptance of the Comprehensive Plan's Transportation Section at the meeting when the Town Council may be considering a vote on the document, then staff will lay out a proposed course of action.

The Plan contains all of the required components as listed in Code of Virginia Title 15.2, Chapter 22, Article 3: §22.2223 thru 2231 and fully meets the requirements of Code of Virginia Title 15.2, Chapter 22, Article 3: §15.2-2232.

Staff and our consultant, Summit Design and Engineering, will make a brief presentation of the draft document which is available for review on the Town's website at <https://www.capecharles.org/docview.aspx?docid=30818>

RECOMMENDED ACTION FOR PLANNING COMMISSION:

Staff finds that the draft Comprehensive Plan. has been made with the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory within the Town of Cape Charles which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, including the elderly and persons with disabilities.

Staff recommends that the Planning Commission considers any public comments received during the public hearing and considers recommending approval of the draft Comprehensive Plan dated November 23, 2022 to the Town Council.

Attachments:

Attachment 1 – Draft Comprehensive Plan dated November 23, 2022



Town of Cape Charles Comprehensive Plan

November 23, 2022



Acknowledgments

Mayor

William "Smitty" Dize

Town Council

Steve Bennett, Vice Mayor
Andy Buchholz
Andrew Follmer
Paul Grossman
Tammy Holloway
Ellen O'Brien

Planning Commission

Bill Stramm, Chairman
Dennis McCoy, Vice Chairman
Kenneth Butta
Paul Grossman
Jim Holloway
Michael Strub

Town Staff

John Hozey, Town Manager
Katie Nunez, Planning and Zoning Administrator

Planning Consultant

Summit Design and Engineering

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Sand on the fishing pier.

PLAN HIGHLIGHTS

This Comprehensive Plan is a guide for future development in the Town of Cape Charles. It outlines where the Town and its residents are at the time of its creation, where they want to go in the future, and the steps it will take to get there. This document, upon adoption, updates and supersedes the previous Comprehensive Plan, adopted in 2009 and amended in 2016.

The Comprehensive Plan is used as guidance by Town Council, the Planning Commission, and Town staff in reviewing and making recommendations on development applications, as well as in identifying growth and funding opportunities. Town residents and future developers can use the plan to understand the future toward which Cape Charles is striving. Adhering to the plan and taking steps to implement it is the best way to ensure that Cape Charles continues to develop in a manner that is orderly, attractive, and benefits all its residents.

The Vision Statement found on page 18 describes the overarching goal of the Plan, and the document makes recommendations in the following categories:

- Housing
- Economy
- Transportation
- Community Facilities and Services
- Environment
- Land Use

The Plan describes the current state of each of these topics in the Town and makes specific recommendations about how to improve each topic area. Arguably the most important element of the Plan is the Future Land Use map and accompanying Future Land Use categories, which will be used to make future changes to the Town’s Zoning Map.

Planning Commission, Town Council, and Town staff spent many hours over three years crafting the recommendations in the plan, which were influenced by input from Town residents. It adheres to current planning best practices and is reflective of current economic and environmental realities.

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Foggy morning in Cape Charles.

Introduction

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- Organization of the Plan
- How is a Comprehensive Plan Used?
- Legal Authority
- Relationship to Other Plans
- Town Government
- Process for Plan Development and Adoption
- Cape Charles History
- Regional Setting

Introduction

What is a Comprehensive Plan?

The Comprehensive Plan is a long-range planning document that is designed to guide the future growth and development of Cape Charles over the next twenty or more years. It is the local government's guide to future community, physical, and economic development. All Towns, Cities, and Counties in Virginia are required by Section 15.2-2223 of the Code of Virginia to adopt a Comprehensive Plan. Section 15.2-2230 of the Code of Virginia requires localities to review its Comprehensive Plan on a five-year basis to ensure that it remains a relevant and usable vision for the community and is reflective of current conditions. This document should be relied upon by Town staff, as well as elected and appointed leaders, as they weigh the merits of land development applications, construct the Town's annual budget, and make many other decisions for the future of the Town. It is important to note that the Comprehensive Plan is a vision for what the citizens and leadership of Cape Charles want the Town to be in the future. While the Comprehensive Plan sets planning policy for our community, land use and development are regulated through the Town's zoning and subdivision ordinances. The Comprehensive Plan guides amendments to these ordinances and should be used to make decisions on land use applications, such as conditional use permits and rezonings. The plan will serve as a guide for Town leaders and property owners as they make many land use, fiscal, and other decisions over the coming years. The primary goal of this plan is to protect and improve the Town by providing for the public health, safety, convenience, and welfare of its residents.



Cape Charles mural on Mason Avenue by @EmilyAsAnArtist

Organization of the Plan

The Comprehensive Plan is organized into chapters that summarize all aspects of land use in the Town. Following this introduction, the "Community Analysis" chapter highlights demographic characteristics. The next chapters are the Plan Topics. Each of these chapters includes a discussion of background and analysis, identification of issues, and a statement of goals and objectives. The Land Use chapter presents the central theme of the report, the Future Land Use Plan, which designates how and where growth should occur. The other sections include discussions of Housing, Economy, Transportation, Community Facilities and Services, and Environment. The final chapter of the plan explains the relationship with the Town's annual strategic plan that is utilized to implement the plan's goals and objectives.

How is a Comprehensive Plan Used?

Town staff, the Planning Commission, and the Town Council use the Plan for recommendations on legislative land use applications. The Plan also lists planned infrastructure and public facility improvements. The community can read the Town's vision and give public comments on legislative land use applications. The Plan outlines the Town's goals and expectations of new development for developers. This guidance helps streamline expectations, feedback, and negotiations.

Legal Authority

Chapter 22, Article 3: §15.2-2223 through §15.2-2232 outlines the legal authority and requirement that all localities prepare, recommend, and adopt a Comprehensive Plan. The Comprehensive Plan "shall be made with the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the inhabitants, including the elderly and persons with disabilities."

Relationship to Other Plans

The Comprehensive Plan works in conjunction with other Cape Charles plans and ordinances, some of these include the Community Strategic Plan, Zoning and Subdivision Ordinance and the Capital Asset Management Plan (CAMP). The Zoning and Subdivision Ordinances are two sections of the Cape Charles town code that are direct regulations for the location, form, and character of private development. The Comprehensive Plan gives guidance and ultimately should influence updates to these ordinances to ensure that the goals in the Plan get implemented in a timely manner. This allows the Town Council or the Planning Commission to review a project for compliance with regulatory standards and meets the vision embodied by the Comprehensive Plan. Capital Improvement Plans (like the CAMP) are fiscal management tools used to plan for the location, timing, and financing of a community's capital improvements over time. Capital Improvements are major, non-recurring physical infrastructure or equipment that requires funding. The Comprehensive Plan can help guide the CAMP and make sure the Town's vision and priorities are aligned. Cape Charles is part of the regional Accomack-Northampton Planning District Commission, features roads maintained by the Virginia Department of Transportation, and other agencies that plan in relation to the Town. This Plan should be utilized in ensuring Cape Charles vision is aligned with any plan that may affect the locality. There are also many plans and further studies mentioned within this Comprehensive Plan and these will need to be undertaken and aligned with the Plan to ensure its implementation and achieve its goals.

Additionally, the Town of Cape Charles prepares an annual Strategic Plan that will be updated more frequently and assist the Town in achieving implementation of the goals and objectives of the Comprehensive Plan. For more information on the relationship between the Comprehensive Plan and the Strategic Plan please refer to the Implementation section.

The CAMP can be found at <https://www.capecharles.org/pview.aspx?id=37927&catid=605>, and the Strategic Plan can be found at <https://www.capecharles.org/pview.aspx?id=37936&catid=605>.

Town Government

Cape Charles is governed by a six-member Town Council, as well as a Mayor who serves as the presiding officer at Council meetings. Each of these representatives is elected to a four-year term. Day-to-day operation of the Town and the supervision of Town employees is carried out by a Town Manager, serving at the direction of the Council.

Process for Plan Development and Adoption

The update of the 2016 Comprehensive Plan began in 2019. Since the 2016 Comprehensive Plan was considered a ‘minor’ update to the 2009 Comprehensive Plan, the Planning Commission also used the 2009 Comprehensive Plan with its detailed appendices. This current plan update is based on review of development trends in the Town which have prompted substantial changes to the 2009 and 2016 Comprehensive Plans.



View along Mason Avenue from the year 1900.

Cape Charles History

Cape Charles was laid out in 1883-1884 at the southern terminus of the New York, Philadelphia, and Norfolk Railroad. The town owes its existence to its harbor, which, following dredging, enabled the railroad company to transport loaded cars by barge across the Chesapeake Bay to Norfolk. The town developed quickly and became the largest community on Virginia’s Eastern Shore at the turn of the century. Its buildings were constructed on a twenty-seven block grid dominated by a central park from which four landscaped streets extended. The remarkably intact architectural fabric ranges from small vernacular workers’ housing of the 1880s to early 20th century architect designed commercial, residential, and municipal buildings. The opening of the Chesapeake Bay Bridge-Tunnel occurred in 1964. During this time the Town began to see growth and development generally stagnate.

While significant new development has occurred in recent years, Cape Charles has one of the best collections of historic buildings of any community on the Eastern Shore. The Town strives to preserve this rich architectural heritage. An architectural survey that identified historic properties in the Town led to the listing of the Cape Charles National Register Historic District in 1989.

In 1992, the Town annexed 2,191 acres of land from Northampton County. The annexed land’s proximity to the Chesapeake Bay and other nearby amenities made the area a prime location for a new residential community. Two large tracts of land, consisting of 1,750 acres surrounding the original Town, are currently being developed. Two upscale golf courses designed by Arnold Palmer and Jack Nicklaus have also been constructed, as well as a marina and commercial areas.



1925 Aerial image of Cape Charles.

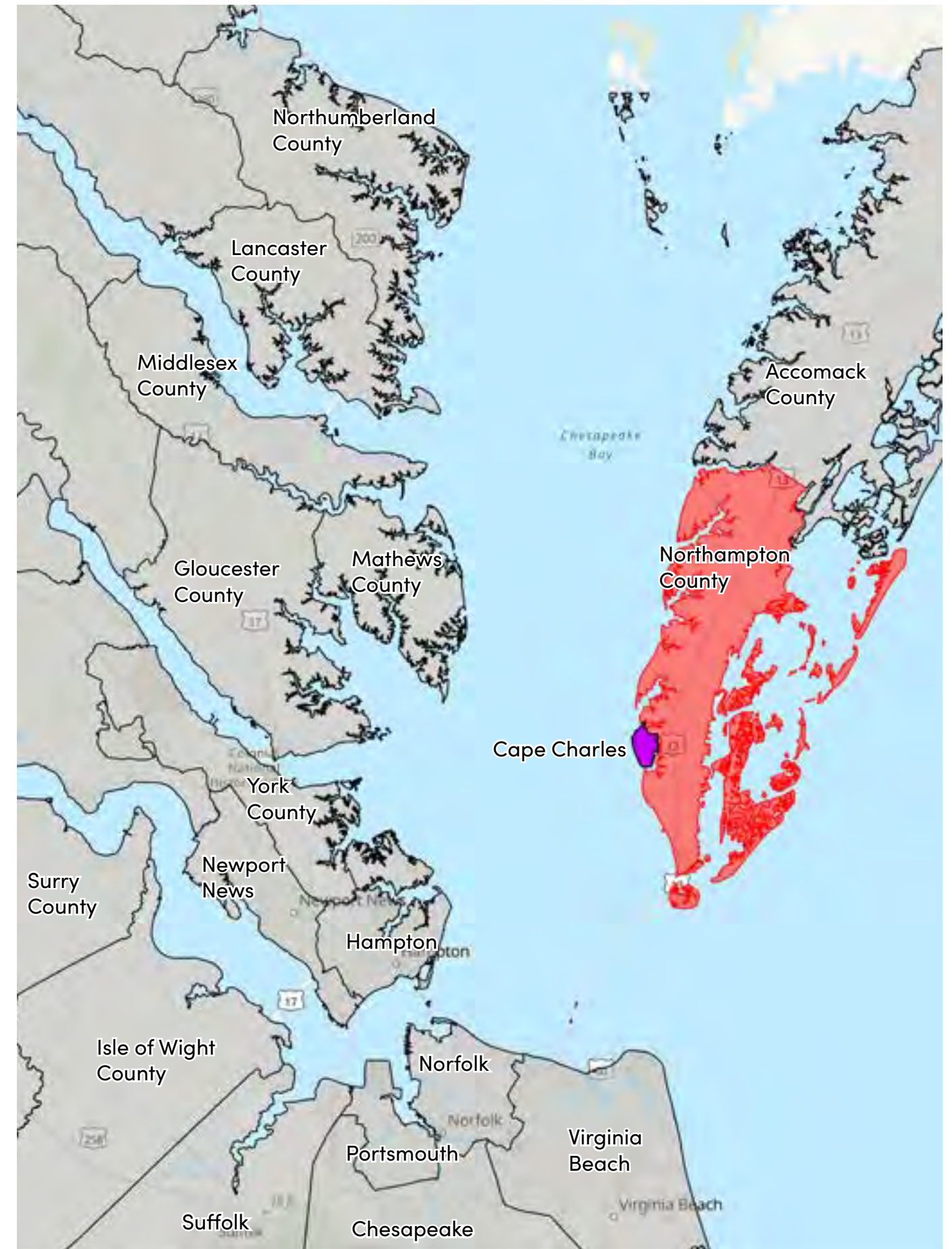
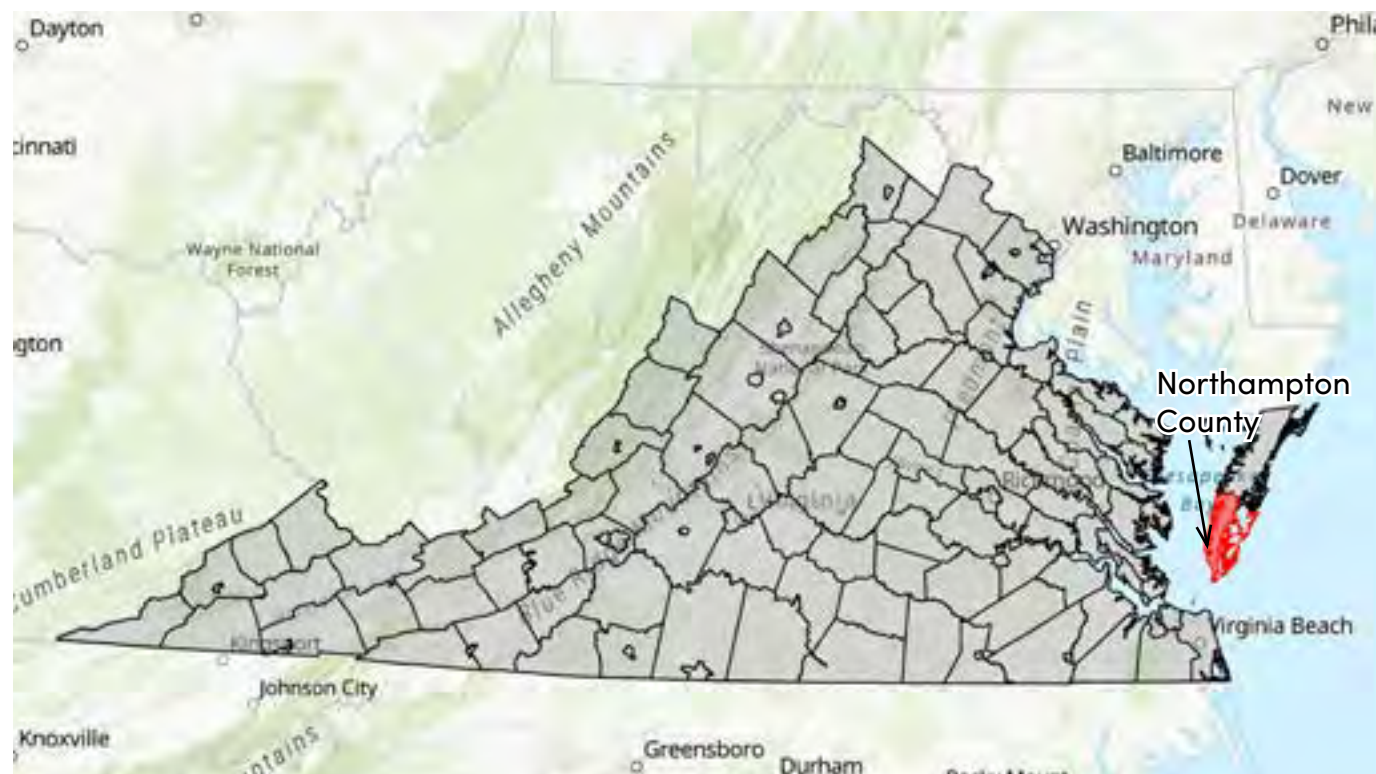
Regional Setting

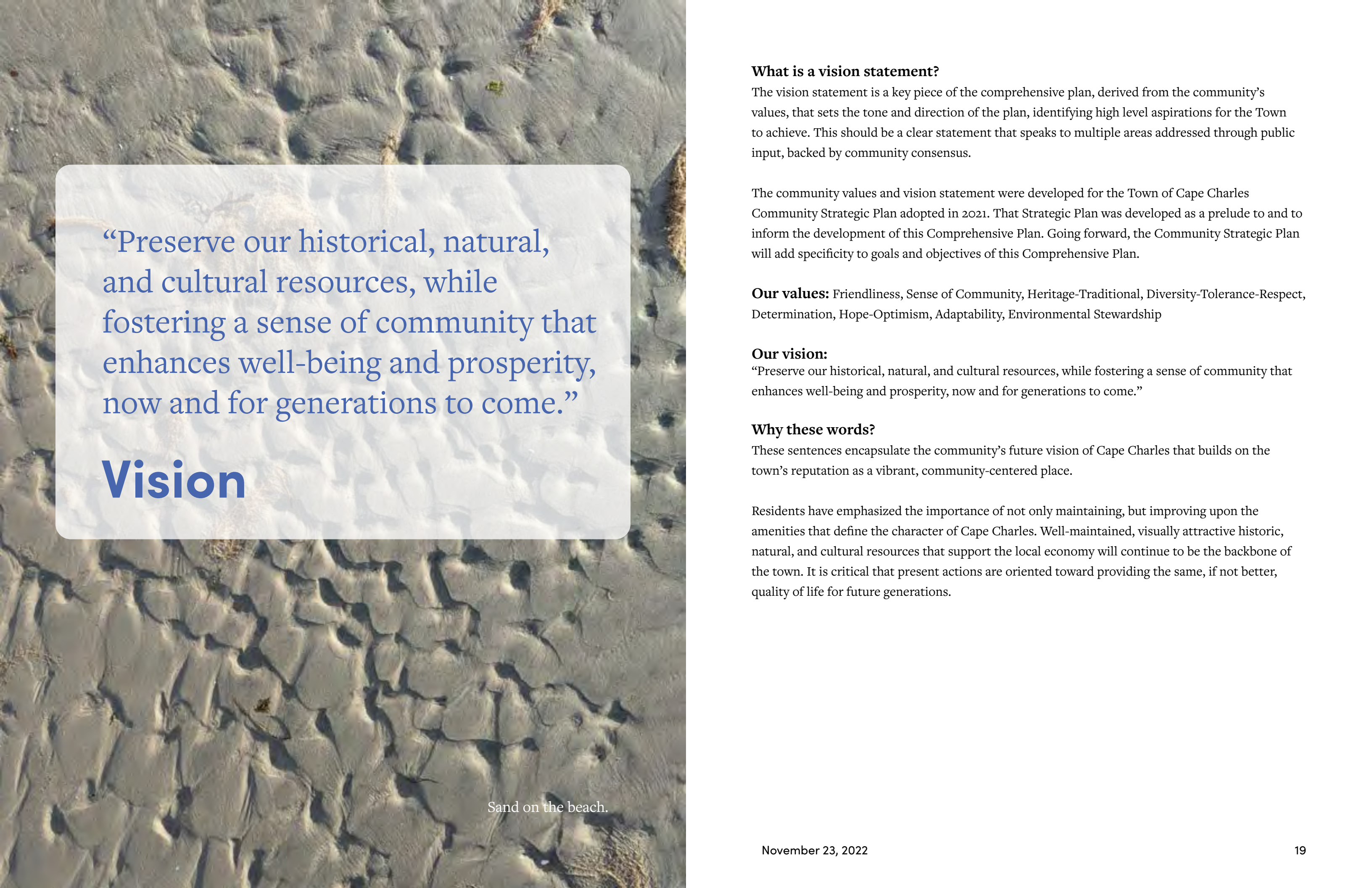
The Town of Cape Charles is located in Northampton County on Virginia's Eastern Shore. The Town is situated on a small peninsula, bordered by the Chesapeake Bay to the west, King's Creek to the north and Old Plantation Creek to the southeast. With a land area of 2,817 acres and a population of approximately 1,178 residents, Cape Charles is the largest of Northampton's five incorporated towns in terms of both land size and population. Since its inception in 1886, Cape Charles has evolved into a dynamic town capable of meeting the needs of a diverse array of residents, visitors, and businesses.

Cape Charles is located within Northampton County. Northampton has its own Comprehensive Plan that guides development in the County and details the relationship with the region's towns.

The Northampton County Comprehensive Plan can be accessed at the following government website or by scanning the QR code to the right:

co.northampton.va.us/government/departments_elected_offices/planning_permitting_enforcement/planning/comp_plan





“Preserve our historical, natural,
and cultural resources, while
fostering a sense of community that
enhances well-being and prosperity,
now and for generations to come.”

Vision

Sand on the beach.

What is a vision statement?

The vision statement is a key piece of the comprehensive plan, derived from the community’s values, that sets the tone and direction of the plan, identifying high level aspirations for the Town to achieve. This should be a clear statement that speaks to multiple areas addressed through public input, backed by community consensus.

The community values and vision statement were developed for the Town of Cape Charles Community Strategic Plan adopted in 2021. That Strategic Plan was developed as a prelude to and to inform the development of this Comprehensive Plan. Going forward, the Community Strategic Plan will add specificity to goals and objectives of this Comprehensive Plan.

Our values: Friendliness, Sense of Community, Heritage-Traditional, Diversity-Tolerance-Respect, Determination, Hope-Optimism, Adaptability, Environmental Stewardship

Our vision:

“Preserve our historical, natural, and cultural resources, while fostering a sense of community that enhances well-being and prosperity, now and for generations to come.”

Why these words?

These sentences encapsulate the community’s future vision of Cape Charles that builds on the town’s reputation as a vibrant, community-centered place.

Residents have emphasized the importance of not only maintaining, but improving upon the amenities that define the character of Cape Charles. Well-maintained, visually attractive historic, natural, and cultural resources that support the local economy will continue to be the backbone of the town. It is critical that present actions are oriented toward providing the same, if not better, quality of life for future generations.



Sign on the corner of Strawberry St. and Mason Ave.

Community Analysis

- Population
- Age Distribution
- Families
- Racial Composition
- Educational Attainment
- Income
- Poverty

Demographics

Population

The growth rate of full-time residents in Northampton County has been declining, although this has slowed, while the population of Cape Charles has grown slightly in recent years after past decline. The most recent census estimate states that Cape Charles’ full-time population is now 1,178. Though not measured by the U.S. Census Bureau, the Town has also observed a major increase in part-time residents. Population projections for the Town are not available from major sources of population projections, such as the U.S. Census Bureau, that calculate population projections only for cities, counties and states. However, several estimates of growth rates can be used to examine future changes in population. Considering the increase on average using the past five years, one can project using various assumptions as to what the population may look like through 2035 should this recent growth trend continue. Using American Community Survey (ACS) Census data, the town population increased during the last four years at an average of 82 full-time residents each year to Cape Charles. The chart below depicts population projections assuming 25, 50 and 75 new residents per year. Using the scenario assumptions, the Town of Cape Charles could potentially have a full-time residential population of between 1,578 – 2,303 by 2035. Although this growth projection might not ultimately be accurate, this information is important for potential impacts to town services and facilities to meet projected demand from full-time citizens, second homeowners, and visitors. The increase in secondary home rentals and tourism in Cape Charles can also be two to three times the normal full-time residential population during the warmer season.

Population			
	2000 Census	2010 Census	2020 Census
Cape Charles	1,121	1,009	1,178
Northampton County	13,093	12,389	12,282
Percentage Change in Population			
		2000 - 2010	2010 - 2020
Cape Charles		-9.9%	+16.7%
Northampton County		-5.4%	-0.9%

Figure 1: Population, Percent Change in Population: 2000, 2010, 2020 Decennial Census

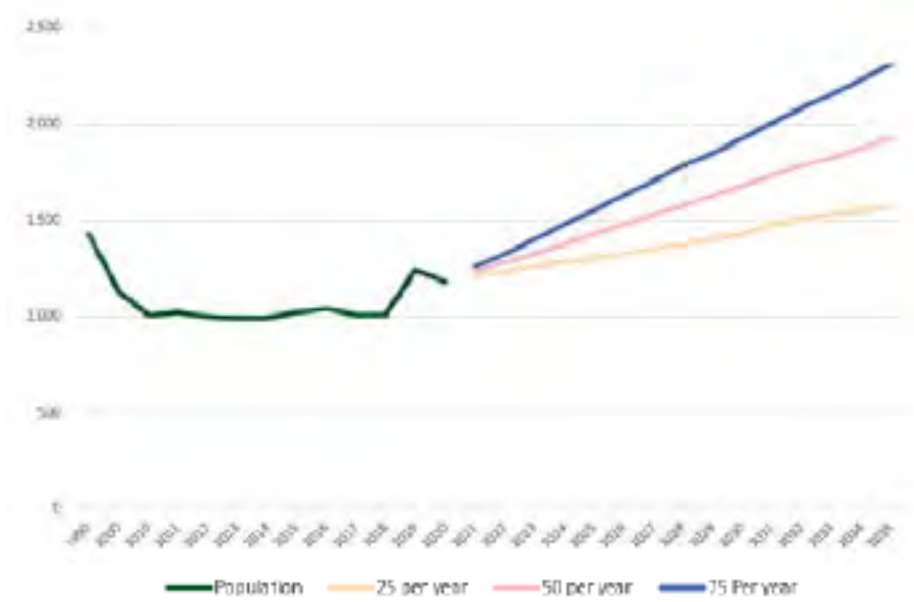


Figure 2: % Population Projection. Source: U.S. Census Bureau

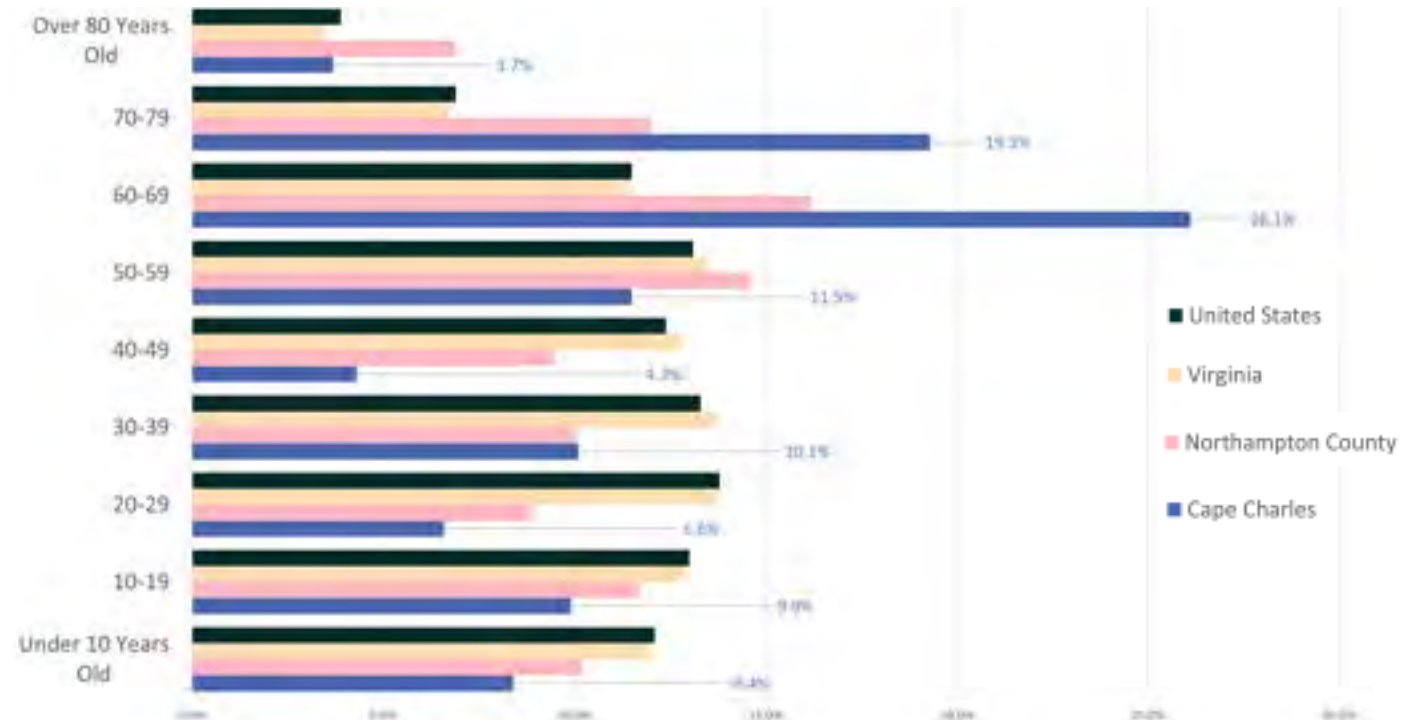


Figure 3: % of Population by Age. Source: 2020 American Community Survey

Age Distribution

The age distribution in both Cape Charles and Northampton County are significantly different than the age distribution of Virginia and the national population. As shown in Figure 3 above, Cape Charles and Northampton County have a high percentage of their populations over 50 years old when compared to Virginia and the United States. Over 60% of the population in Cape Charles is 50 or older, while only 30% of Virginia’s population is 50 or older, representing a substantial difference in character. Conversely, a higher percentage of Virginia is young and of working age. Roughly 17% of the population in both Cape Charles and Northampton County are each in the 20-39 age cohort as compared to 26% of Virginia’s population in this cohort.

Disparities in age are further illustrated by median ages. According to the U.S. Census Bureau, the Median ages in Cape Charles, Northampton, and Virginia are 59.5, 49.8, and 38.4, respectively. The median age in Cape Charles, while higher than that of Northampton County, is approximately 20 years more than the median age at the state level. During the 2010’s, the 55 and older age cohort in Cape Charles increased in size (+9.3%) as the younger age (0-54) cohorts decreased in size by the same percentage (-9.4%). This is partially due to the older retirees moving to the area to take advantage of the Town’s amenities. The town needs to attract younger generations in order to provide a complete social structure that can sustain itself into the future.

	Cape Charles 2010	Cape Charles 2020	Cape Charles Percent Change 2010-2020	Northampton County 2020	Virginia 2020
Generation Z (0-19)	17.9%	18.3%	+0.4%	21.9%	24.8%
Millennials (20-34)	14.7%	12.3%	-2.4%	14.3%	20.6%
Generation X (35-54)	19.8%	12.4%	-7.4%	19.9%	26.3%
Baby Boomers (55-74)	35.8%	48.5%	+12.7%	32.5%	22.2%
Silent Generation (74+)	11.8%	8.4%	-3.4%	11.4%	6.2%
Median Age (Years)	53.5	59.5		49.8	38.5

Figure 4: % Population by Generation 2010 U.S. Census, 2020 American Community Survey

Families

The number of families living in Cape Charles has grown in recent years according to the U.S. American Community Survey 5-year Estimate data. The Bureau defines a family as “a group of two or more people who reside together and who are related by birth, marriage, or adoption.” The number of families in Cape Charles has increased by 41.5% over the past six years. The average family size has remained relatively steady around 2.5 from 2015 to 2020. The number of families with children under 18 has ranged between 60 and 77 from the ACS survey years 2015 to 2020 without depicting a trend. As stated under Age Distribution above, the town needs to attract younger families.

Racial Composition

The racial composition of Cape Charles did not change significantly during the 1990’s. Census data from 2000 indicates that approximately 43% of the population is black or African American. This however has changed significantly as the white population has increased. The 2010 Census data indicates that this number decreased to 31.1% while the 2020 ACS survey data depicts 16%, with the white population increasing accordingly. This is a considerable shift over the past two decades. While the black and African American population may have been decreasing, a larger percentage of new residents moving into Cape Charles are white. One of the potential factors for this change is the significant increase in housing purchase prices and renovation costs leading to a decrease in lower income earning individuals or families that can afford to live in Cape Charles while also attracting a larger influx of affluent white retirees. Figure 6 provides the racial composition change over the past decades.

	2015	2016	2017	2018	2019	2020
Total Families	217	253	292	309	319	307
Married-Couple Family	166	191	214	238	230	234
Male Householder, no spouse/partner, family	25	28	19	55	34	21
Female householder, no spouse/partner, family	26	34	59	46	55	52
Average Family Size	2.59	2.46	2.55	2.56	2.55	2.63

Figure 5: Families, 2020 American Community Survey

	1980	1990	2000	2010	2020
White	67%	54.4%	53.8%	60.4%	77.6%
Black or African American	32%	45%	42.9%	31.1%	16%
Other	1%	0.6%	3.4%	8.5%	6.4%

Figure 6: % by Race 2020 American Community

Educational Attainment

The population of Cape Charles features higher educational attainment in comparison to the surrounding County. 50.1% of the population 25 and older in Cape Charles have achieved a bachelor’s degree or higher as compared to 39.5% in Virginia and 26.1% in Northampton County (2020 ACS).

Income

Cape Charles’ median household income of \$55,104 for full-time residents is higher than Northampton County (\$50,819). The figure below depicts income distribution within 658 households in Cape Charles. Although the median income level within Cape Charles can be considered high, around 23% of those households in Cape Charles have incomes below \$24,999.

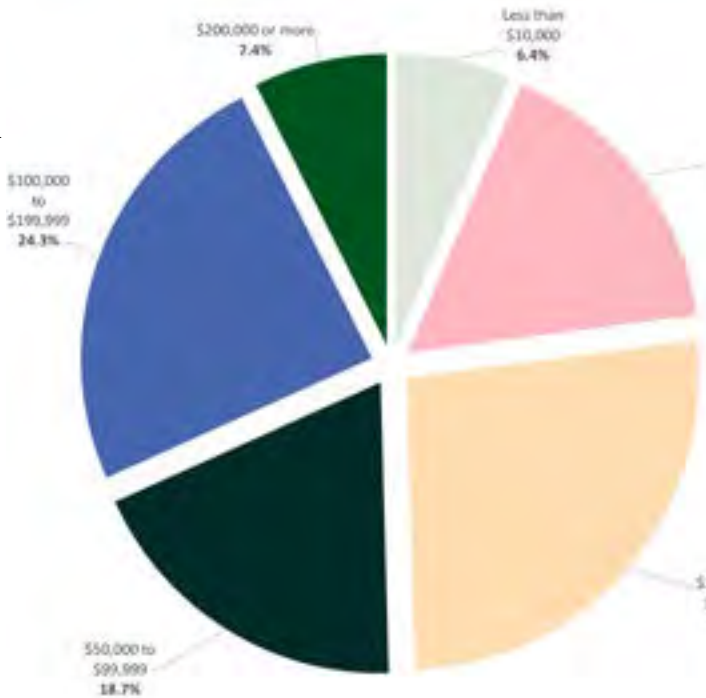


Figure 7: Families 2020 American Community Survey

Poverty

The Census Bureau uses a set of income thresholds that vary by family size and composition to determine who classifies as impoverished. If a family’s total income is less than the family’s threshold, then that family and every individual in it is considered to be living in poverty. 16% of the population for whom poverty status is determined in Cape Charles live below the poverty line, a number that is the same as Northampton County at 16.5% and higher than the state average of 10%. (2020 ACS 5-year Estimate). By further dissecting the 16% population in Cape Charles considered to be living in poverty status and assessing the age of these individuals, Figure 8 shows that over 40% of this population in poverty is under 18 years of age.

Accomack County and Northampton County have comparable overall poverty rates, around 6% higher than the rest of Virginia. Poverty is a complex and persistent problem that requires coordinated efforts across the Eastern Shore to improve housing, jobs, education, health care, and transportation options. The Town of Cape Charles does provide assistance in the form of real estate tax credits to qualified persons who are elderly or who are physically disabled (Town Code Section 66-118). Applicants must meet certain income (e.g., maximum combined income, if married, cannot exceed \$50,000) and health status substantiations.

Population Total Estimate	1227*
Population below Poverty Level	196
Percentage of Population below poverty level	16%
Poverty by Age in Cape Charles	
Under 18 years	44.4%
18 to 64 years	40.3%
65 years and over	15.3%

Figure 8: % of Population in Poverty and by Age 2020 American Community Survey

*Population estimate varies slightly between 2020 ACS and 2020 Census



Sunset over the fishing pier.

Public Input

- Kick Off Workshop
- Stakeholder Survey
- Regional Housing Workshop Summary
- 2022 Regroup
- Comments on Draft Comprehensive Plan
- Public Hearing, Recommendation, and Vote
- Goals and Objectives Setting

Public Input

Kick Off Workshop

The Town held the Comprehensive Plan Kick-off Workshop on July 25. This was the first opportunity for residents to help form the update process and give feedback to local government officials about the future of Cape Charles. The public was given a presentation about the focus of the Comprehensive Plan update process, project goals, and citizen/stakeholder expectations. Input from the Kick-off Workshop will be used help to shape the planning process and ultimately the new Comprehensive Plan. The questions and summary of the various tables responses are shown below.

A. What is the best way to engage Cape Charles citizens and stakeholders (e.g. more workshops, online survey, stakeholder meetings, small group forums, etc.)?

Table 1	Table 2	Table 3	Table 4	Table 5
Coffee-shop meetings, Surveys, varied times, Suggestion box	Facebook, phone call, local paper, e-mail listserv	Online survey, incentivize feedback, local news	Town Hall, local news, utility bills, seasonal visitors, meetings	Raffle with local businesses, community boards, churches

B. Who are the critical players (stakeholders) who need to be engaged in the process?

Table 1	Table 2	Table 3	Table 4	Table 5
Community groups, business owners, workforce, Coast Guard, EMS	Residents, tourism, Northampton Co., Federal agencies, underserved pop.	Watermen, churches, residents, various boards and groups, Town staff	Full time and seasonal residents, businesses	ANPDC, VDOT, public school system, nonprofits

C. If the Comprehensive Plan Process includes a community opinion survey, what topics or questions should be included?

Table 1	Table 2	Table 3	Table 4	Table 5
Vision? Services? Concerns? Changes? Missing?	Traffic congestion, beach safety, healthcare, housing	SWOT, Sidewalks, restrooms, open space, utilities, noise, housing, Airbnb	Public facilities, attracting visitors, infrastructure, traffic, housing	Engagement, transportation, tourism, Mixed Use

D. List the top three issues you would like to see the Comprehensive Plan address.

Table 1	Table 2	Table 3	Table 4	Table 5
Healthy living, green space, plan for railroad land, non-tourism growth	Year round sustainability, controlled growth	Parking garage, historic preservation, Public works, workforce housing	Workforce housing, street cleaning, small town charm	Golf cart paths, resiliency, healthcare, amenities

E. What major projects should be included in the plan?

Table 1	Table 2	Table 3	Table 4	Table 5
Community space, public works staffing, parking strategy	Improved water quality, infrastructure	Parking garage, public transit, sidewalks, hook & ladder	Good internet, economic & enviro. resiliency	Golf cart paths, rec. center, parking garage

Stakeholder Survey

A broad survey was conducted in 2019 and received 211 responses. Common concerns and desires expressed were as follows (not provided in any type of priori

- Preserve “family centered” beach town
 - Preserve and enhance beach
 - Preserve historic district
 - Preserve Central Park
 - Preserve open spaces
 - Preserve and enhance deep-water harbor
 - Preserve retail center
 - Need for economic diversity
 - Provide town walkability, sidewalks
 - Need for public facilities/restrooms
- Enhance activities for youth
 - Improve water quality
 - Encourage affordable workforce housing
 - Development of town recycling
 - Development of golf cart pathways
 - Need for enforcement for golf carts and traffic
 - Explore ways for access to medical centers
 - Ensure new water/wastewater is paid by developer
 - Explore development of community center

Regional Housing Workshop Summary

Northampton County hosted an Eastern Shore Regional Housing workshop on January 29, 2020, with over 50 people in attendance. A summary of the feedback received at that workshop is below.

What type of housing development is most needed on the Shore?

- Strong desire for rental apartments, small single-family dwellings, duplexes, town homes and condos

What are the top three housing issues impacting the Eastern Shore?

- Lack of housing available for rent
- Lack of housing that is affordable

Identify the top-most significant barriers to developing more affordable housing on the Eastern Shore.

- Cape Charles Zoning Ordinance
- Cost of housing/rental within this beach community
- High cost to refurbish older homes
- Lack of qualified workforce to build homes and apartments
- Lack of full-time, year-round jobs
- Lack of educated population relative to affordable housing

2022 Regroup

After disruptions caused by the COVID-19 pandemic, the Town resumed work on the Comprehensive Plan with the help of a planning consultant in 2022. A Draft Comprehensive Plan was provided for review in September 2022. A public input forum was held in October 2022, and citizens were encouraged to submit comments on the plan. Public input opportunities were advertised in the Cape Charles Gazette, which is distributed throughout town and available on the Town website.

Comments on Draft Comprehensive Plan

After receiving about 280 comments on the Draft Comprehensive Plan from Town staff, members of Town boards, and the general public, Planning Commission and Town Council held two joint work sessions to review feedback and determine how to best address feedback in the final draft. The Planning Director provided additional opportunities to discuss the Draft Comprehensive Plan and the Future Land Use Map after the formal commenting period had ended.

Public Hearing, Recommendation, and Vote

Planning Commission and Town Council held a joint public hearing on December 6, 2022 to provide an opportunity for any additional comments on the final draft of the Comprehensive Plan. (A sentence or two describing any comments on the plan or lack thereof at the hearing). After hearing public comments on the plan, Planning Commission recommended (insert recommendation here). Town Council voted to (insert result of vote) on December 15, 2022.

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Aerial view of the Town.

Goals and Objectives Setting

The Cape Charles Comprehensive Plan is intended to capture a broad community vision of a future Cape Charles.

Written statements that describe future expectations are necessary to describe that vision. These statements are intended to be easily understood and generally accepted among the residents and business interests in the Town. Goals and objectives are found in the subsequent chapters for each functional area of the Plan, e.g., land use, transportation, community facilities, etc. Some goals and objectives developed in the 2016 Comprehensive Plan process were retained. Goals are long-range, generalized statements that represent the ultimate desires of the Town. The situations and conditions called for in the goals would normally be achieved only through a sustained series of actions over a considerable period of time.

The goal statements in this Plan are sufficiently broad to remain valid as people's values change over time. As these values change, the interpretation of the goals will change also. When this happens, the goals will remain in effect, but new goals and objectives may be developed. Goals and objectives comprise a proposed series of broad policies that are more immediate and specific in nature than are the goals. Objectives are intended to be intermediate steps that are taken toward achieving the goals. For each goal, several objectives can be provided.

The topic areas covered include:

- Housing
- Economy
- Transportation
- Community Facilities & Services
- Environment
- Land Use and Future Land Use

Public engagement has continued as part of the process; to include development of a routinely updated Community Strategic Plan, whose goals and objectives should dovetail well with the core areas above and help create a plan that builds on the Town's unified vision. Each topic has a "goal statement" that describes what the Town should strive for in each area. The objectives and strategies are specific ways the Town should work to achieve each goal.

Implementation will be achieved through the annual Community Strategic Plan, whose shorter-term, more granular objectives, informed by the Comprehensive Plan, will set the Town's annual priorities and workflow.



View down Randolph Ave. from the gazebo.

Housing

“Pursue land use, zoning, and housing policies to meet and maintain the housing needs of all Cape Charles residents and support a strong local workforce, while preserving local character.”

- Overview
- Housing Inventory
- Housing Projections
- Accessory Dwelling Units
- Tenure
- Age of Housing
- Housing Conditions
- Housing Value
- Housing Market Conditions
- Rentals
- Historic Resources
- Affordable Housing
- Workforce Housing Units
- Housing Objectives and Strategies

Housing

Overview



A house in the Historic District.

The housing stock in Cape Charles is clustered in three main areas. The traditional residential area is located in the Town's Historic District. Two other major clusters of housing are present in the north and south tracts of Bay Creek, where construction of several residential subdivisions continue. Housing in the Historic District of Cape Charles consists of approximately 750 dwelling units, many of which are single-family houses built between 1885 and 1920. The houses range from small bungalows to larger homes and are grouped into neighborhoods which blend together but maintain distinctive character. There are many excellent examples of Victorian, Colonial Revival, Craftsman, and Neoclassical styles of homes in the Historic District. The oldest houses, dating from the 1880s to the early 1900s are found in the center and eastern sections of the Historic District. The Town's Historic District Review Board reviews all construction in the Historic District to ensure construction of new buildings and alterations to existing buildings do not adversely affect the historic character of the area. The Town was originally laid out in a grid of 40 foot wide by 140 foot long lots with houses spaced close together. A limited number of vacant lots exist in the Historic District.

In more recent years, significant residential construction has occurred in Bay Creek. The development's north and south tracts span approximately 1,750 acres and will continue to bring a large number of new housing units to the area. Although the actual number of homes constructed will be driven by market forces, the Annexation Agreement of 1992 allows up to 3,000 dwelling units to be built in Bay Creek. Bay Creek has ten distinct neighborhood villages, including condominiums, townhouses, and single-family homes. Most of the homes already built in Bay Creek, a gated-community, are marketed towards high income households, retirees, and seasonal homeowners.

Single-family homes represent most of the housing market in the Town of Cape Charles. The town's housing stock has undergone major changes in a short period of time. Numerous single-family homes in the Historic District have been renovated and that trend continues. New residential construction has also taken place in the Bay Creek golf and marina resort communities. The town has a large percentage of homes that are used as second homes, some of which are used as short-term rental units due to the high influx of tourists during the summer season. The U.S. Census categorizes 'vacant'



Home under construction in Bay Creek.

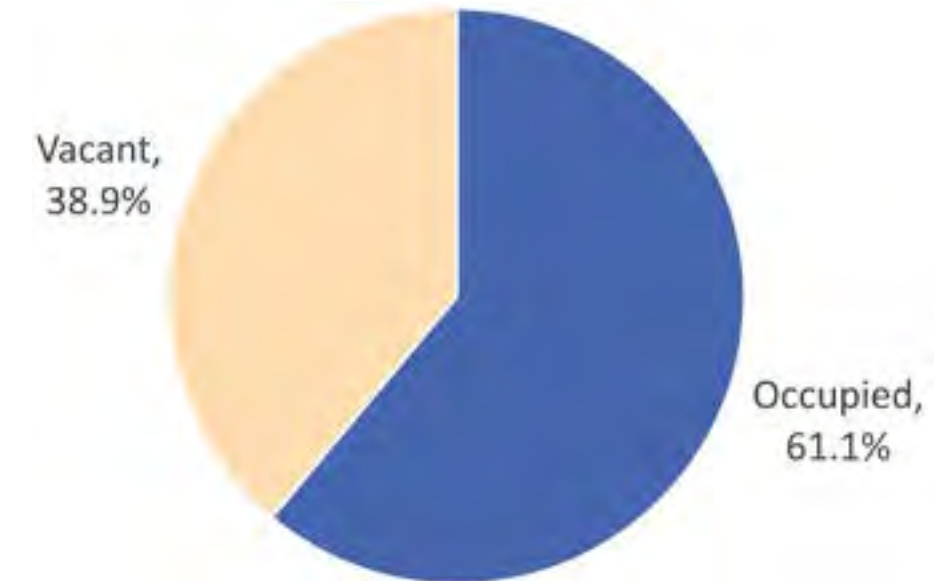


Figure 9: Housing Unit Occupied vs. Vacancies 2020 American community Survey

to include houses for sale, houses for rent, seasonal/recreational and other. Based on the 2010 census, at least 30% of the entire housing stock was seasonal/recreational. It is expected that this percentage number would be equal, if not higher, at the present.

Despite the positive changes in the town's housing stock, some residents face major housing issues. Although rising property values have benefited many homeowners, increased rents and housing prices create difficulties for low and moderate income households. If current trend continues as expected, availability of quality housing will continue to decrease. An analysis of the town's census data shows that 41% of town households are cost burdened (i.e., households that pay more than 30% of their income for all of their housing expenses including utilities). For example, a household that had a \$30,000 income would be cost burdened if it paid more than an average of \$750 per month on their rent or mortgage, property taxes, property insurance, utilities and housing maintenance costs. The town needs to be concerned with planning for quality affordable housing as its economy grows. It is necessary to reduce the percentage of cost burdened households, one way of which is providing more affordable housing stock, since this will help encourage people to live in stable neighborhoods in

town instead of moving out into the unincorporated areas of the county. This in turn will help keep the town economically viable throughout the year.

As described in the Community Analysis chapter, with the baby boomer (age 55-74) population increasing 35.8% to 48.5% of the total permanent population from 2010 – 2020, the Gen X (ages 35-54) decreasing from 19.8% to 12.4% and Millennials (ages 18-34) decreasing from 14.7% to 12.3%, the town's mix is moving towards an age disparity. Coupled with lower income buyers not able to compete for the housing within increasingly expensive neighborhoods in Cape Charles, they are then forced to move to affordable neighborhoods elsewhere that they can afford. The increased housing costs within the town make it difficult to attract younger families. Cape Charles has a need for a greater diversity of housing types to improve affordability as well as support a stable and resilient community into the future.

Housing Inventory

Housing patterns in Cape Charles are typical of small towns that developed around railroad lines in the early twentieth century. Most of the Town’s older housing stock in the Historic District is located near the downtown commercial areas, which are centered along the previous railroad lines and harbor terminus. The inclusion of the Bay Creek golf and marina communities offer newer housing stock.

Nearly 78% of occupied homes in Cape Charles are single family units (66% single family detached, 11.4% attached). With the completion of new construction and rehabilitated buildings on Mason Avenue, more attached condominium units have been entering the housing stock.

Housing Projections

A rough housing projection was developed to determine the impact on housing for continued growth. Population projections typically are constructed around full-time residents and prepared for larger localities than Cape Charles. Given Cape Charles’ smaller population numbers and the mixture of permanent residents and seasonal/ recreational occupants, forecasting housing needs contains many assumptions. Assuming an annual population projection increase of 1.7% (using 2010 to 2020 population growth numbers), an additional 200 full-time residents could live in the Town of Cape Charles by 2030. Given the current average household size of 2, another 100 dwelling units would be required to house this full-time population increase. However, one must also account for additional seasonal housing or the conversion of current housing stock into seasonal units. Using a ratio of one ‘vacant’ house to every two full-time residential homes would result in a total of 160 additional units projected for 2030. (Per U.S. Census terminology, ‘vacant’ homes are primarily seasonal/ recreational in the case of Cape Charles.)

Although the Town of Cape Charles is enclosed on three sides by water, the Town would still have capacity to accommodate these additional homes within areas such as the remaining lots in the historic district, properties within the Bay Creek communities, future developable town owned property along Old Cape Charles Road (former Keck property, 18 acres), approximately 20 acres of developer’s property along Old Cape Charles Road, and the potential development of the railroad property (approximately 40 acres) between the historic district and the harbor.

2010 Census			2020 American Community Survey	
Total Units	787	-	1,077	-
1-unit, detached	612	77.8%	715	66.4%
1-unit, attached	35	4.4%	123	11.4%
2 units	24	3%	52	4.8%
3 or 4 units	32	4.1%	19	1.8%
5 to 9 units	29	3.7%	121	11.2%
10 to 19 units	25	3.2%	35	3.2%
20 or more units	16	2%	12	1.1%
Mobile home	14	1.8%	0	0%

Figure 10: Housing Inventory 2020 American Community Survey, 2010 Census

Accessory Dwelling Units

The Town of Cape Charles adopted ordinances in February 2019 that permitted accessory dwelling units under certain conditions with adequate safeguards to protect the character of the existing residential neighborhoods. This strategy is intended to develop new, moderate cost rental housing while preserving large, older homes and allow more flexibility for elderly homeowners to stay in their homes. Among the conditions of approval for accessory apartments is that the accessory dwelling unit be “clearly subordinate to” the main unit. This is achieved by requiring that the unit be less than a specified percentage of the square footage of the original house. In addition, these units cannot be rented for less than 30-day length of stays in order to foster longer term residencies (as opposed to summer tourist related weekly rentals). The number of permits issued to build accessory dwelling units from February 2019 through April 2022 totals sixteen that demonstrates an interest in residents to provide additional in-fill housing units within the town.

Cape Charles updated the Zoning Ordinance in October 2022 to include more specific definitions and language in the regulations regarding Accessory Dwelling Units.

Tenure

61% of the housing stock in Cape Charles is either full time owner-occupied (32%) or long-term renter-occupied (29.1%). A housing unit is owner-occupied if the owner or co-owner lives in the unit, even if it is mortgaged or not fully paid for. According to the 2020 American Community Survey, there were approximately 658 full-time occupied housing units in Cape Charles. The higher full-time rental-occupancy number is due to the rental units of Sea Breeze, Myrtle Landing, and Cape Charles Lofts, approximately 138 units total. This is in addition to other downtown loft apartments, and single-family home full-time rentals. However, there are an additional 419 housing units that are classified as ‘vacant’ units per census statistics, those either offered for rent, rented or sold but not yet occupied, and those for seasonal, recreational or occasional use. Cape Charles has a high number of units within the seasonal, recreational or occasional use category because of the desirability of the town as a tourism destination and short-term get-away. As shown in the decennial census and ACS survey numbers, seasonal and short-term rentals have increased in numbers.

	1990		2000		2010		2020	
Owner Occupied - Full-time	299	43.4%	253	34.3%	247	25.8%	345	32%
Renter Occupied - Full-time	268	38.9%	281	38.1%	269	28.1%	313	29.1%
Vacant	122	17.7%	204	27.6%	442	46.1%	419	38.9%
a. For rent	31	4.5%	22	3%	50	5.2%	-	-
b. For sale	11	1.6%	9	1.2%	40	4.2%	-	-
c. Seasonal	7	1%	82	11.1%	290	30.3%	-	-
d. Other	73	10.6%	91	12.3%	62	6.5%	-	-
Total	689	-	738	-	958	-	1,077	-

Figure 11: Housing Occupancy by Tenure, U.S. Census 1990, 2000, 2010, 2020 ACS

Age of Housing

Cape Charles has a mixture of older and new housing. Given the town’s history as a turn-of-the century railroad town, many homes in the Historic District were built before 1939. The decade between 2000 and 2010 saw a tremendous amount of growth as the Bay Creek properties developed. In fact, one-third of all housing in Cape Charles was constructed since the Year 2000.

In addition to renovation of older homes within the Historic District, new housing unit construction has continued at a healthy pace. In the year 2019, permits were issued for new residential construction as follows:

- 22 new single-family residential (10 in historic district and 12 in Bay Creek)
- 8 new residential units over commercial property on Mason Avenue
- 4 new residential units in multi-family building

- 4 new apartments on Randolph Avenue

In the year 2020, 25 permits were issued for new residential construction, and in the year 2021, 60 permits were issued for new residential construction.

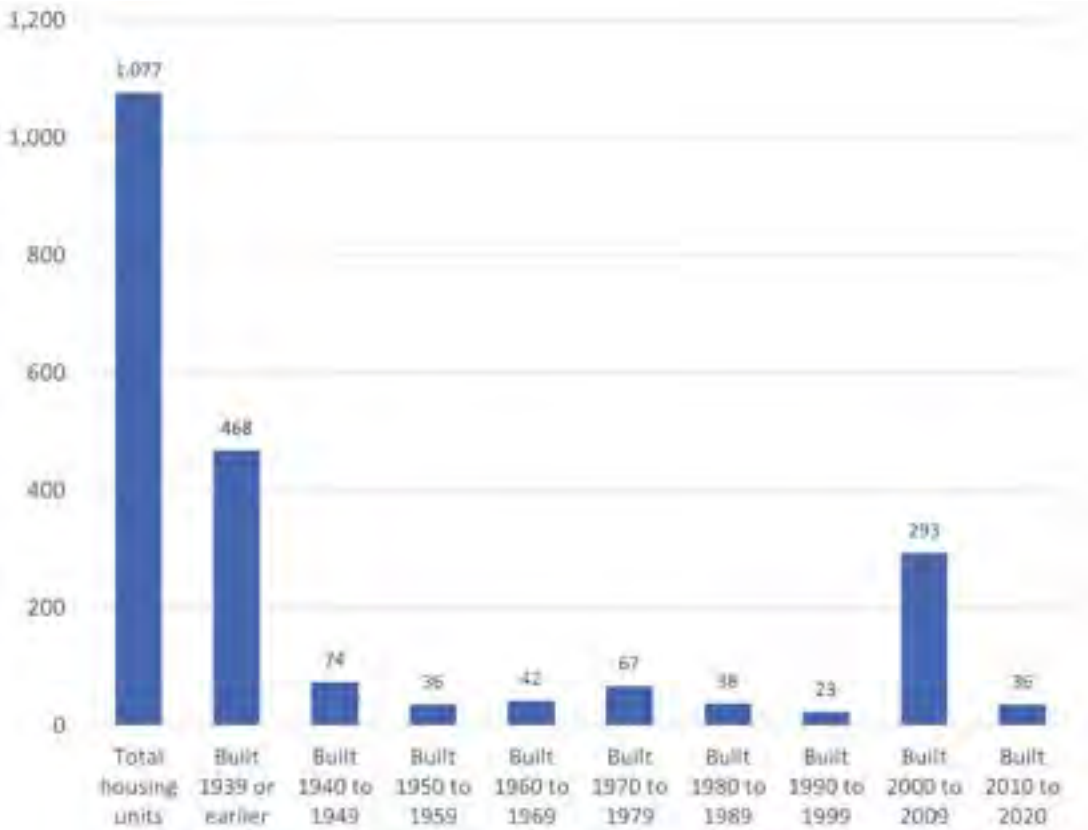


Figure 12: Year Structure Built, 2020 American Community Survey

Housing Conditions

The need to improve housing conditions in parts of Cape Charles has been a major issue in past decades and continues today to a much lesser degree. Dilapidated, abandoned, and substandard housing is of concern to all citizens. Issues in the past had included problems with sagging roofs, missing siding, hazardous entryways, missing windows, deteriorating appearance, and unkempt yards and outbuildings. In 1995, the Town was awarded Community Development Block Grant funding for rehabilitation of 30 substandard houses located in the northeast area of the historic district. The rehabilitation project, known as the Northeast Neighborhood Comprehensive Community Development Project, helped many of the Town’s residents improve their housing conditions. Building permit information indicates that a significant amount of renovation

work for existing homes in the Historic District has occurred since the early 2000’s. To help improve housing conditions, the Town also adopted an ordinance to enforce the repair or clearance of dilapidated structures. All existing buildings and structures must be properly maintained to protect the occupants from health and safety hazards that might arise from improper maintenance or use of the building. As noted in the Cape Charles Historic District National Register, between surveys conducted in 1987 and 2017, over 50 homes listed in the original register were demolished. Some have since been replaced. From 2016 through 2019, eight permits were issued to demolish additional residential homes and structures such as accessory buildings and warehouse within the historic district. In 2021 there were no demolition permits issued.



House Renovation in Cape Charles Historic District, Google Streetview

Housing Value

The Town of Cape Charles has the highest owner-occupied median housing unit value in the entire region at \$366,200 (2020). 20% of all owner-occupied housing is valued about half a million dollars or more. Only 10% is valued below \$200,000.

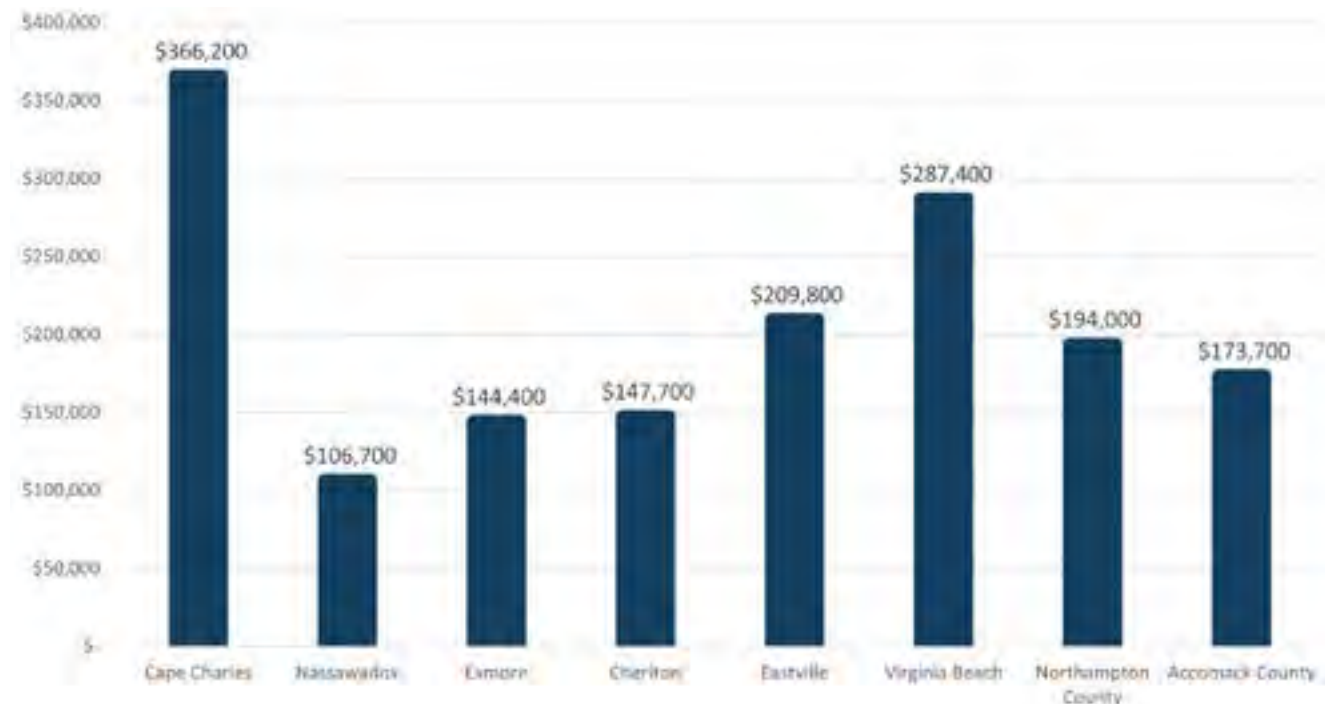


Figure 13: Regional Comparison of Median Value of Owner Occupied Units, 2020 American Community Survey

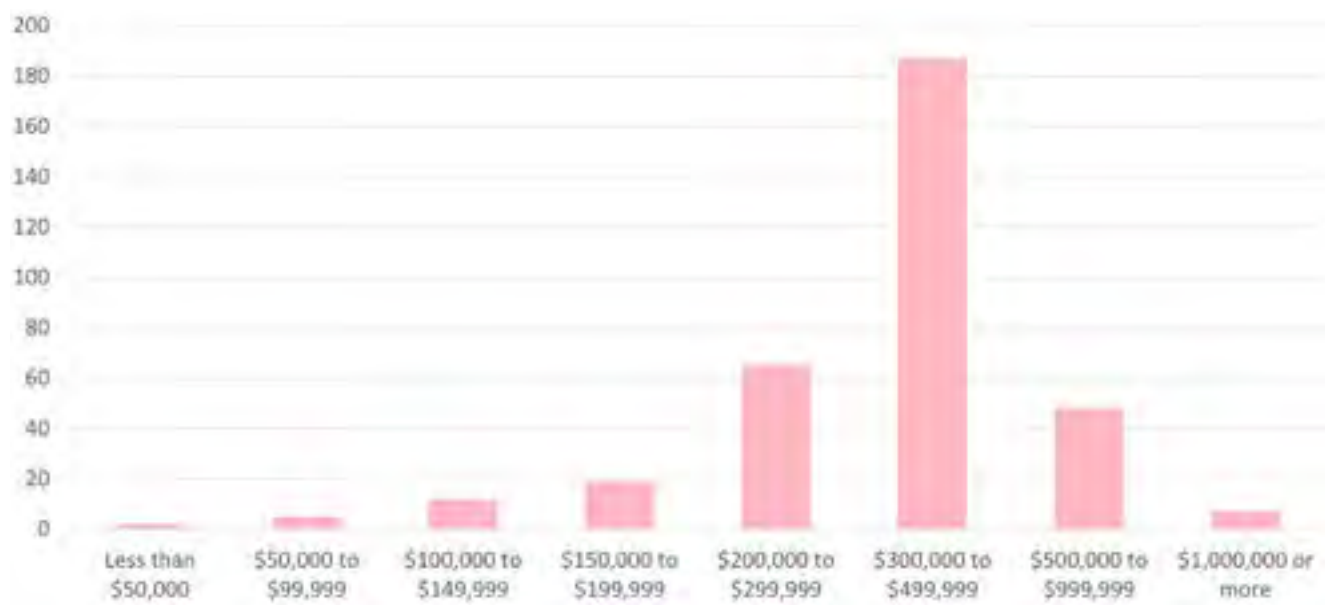


Figure 14: Price of Owner-occupied Units, 2020 American Community Survey

Housing Market Conditions

Median list prices in Cape Charles have been steadily increasing over the past six years, from \$274,408 in 2013 to \$362,670 in 2021 (through October).

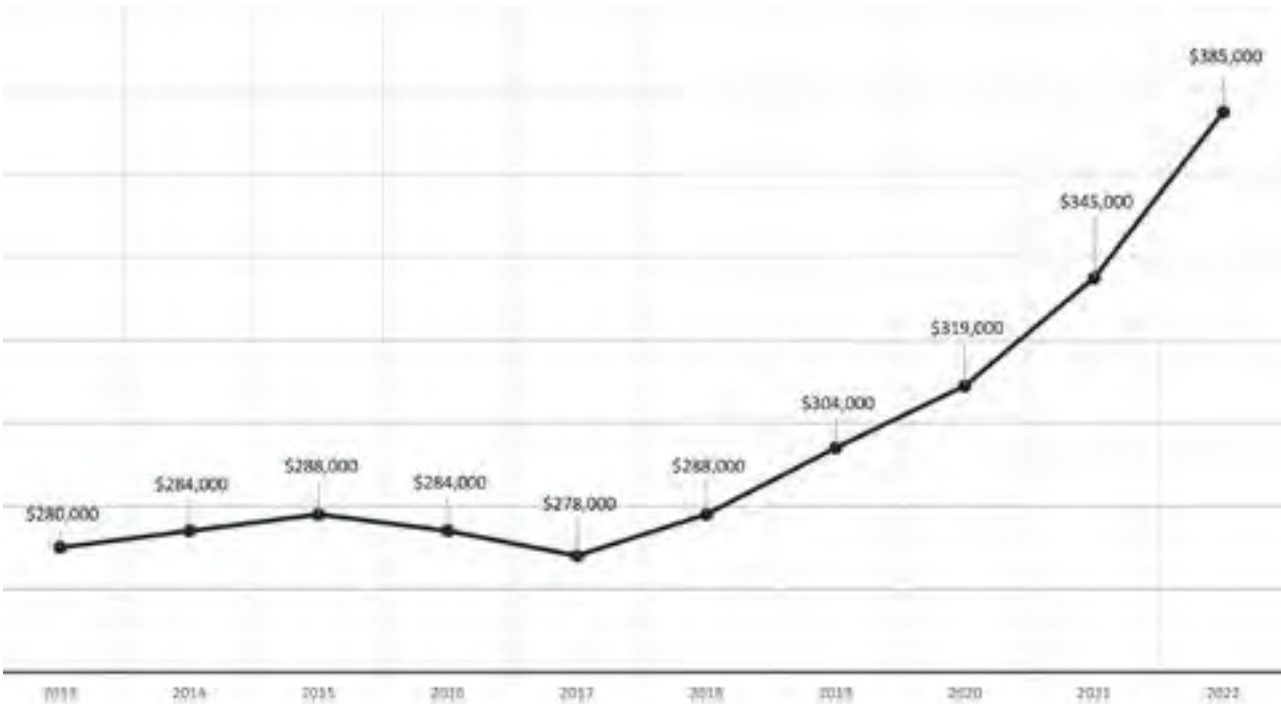


Figure 15: Annual Median Listing Value, Zillow

Rentals

The median estimated market rate rent across Cape Charles in 2020 is \$630 monthly. This includes all types of housing available for rent (multi-family, single family residences, condos and co-ops). (2020 American Community Survey) Two of the main reasons for introducing accessory dwelling units into Cape Charles were to increase the number of smaller units available for long-term rental and a lower rental cost based on these units being smaller in size (typically studios or one bedrooms).

Those housing units that are categorized as seasonal or recreational and available on a short-term basis can drive rental prices much higher as a result of the current high demand for short-term rentals during the summer tourist season. As of August 2022, the town has 250 registered short-term rentals.

Historic Resources

The Code of Virginia provides local governments with a number of tools that support the preservation of historic sites and structures. Included among them are the ability to designate historic districts and the authority to adopt local ordinances that govern the treatment of historic resources. The Town of Cape Charles is a Certified Local Government and has a designated historic district overseen by a historic district review board. The homes designated as ‘historic’ are currently listed on the National Register of Historic Places.

Affordable Housing

As a visitor destination with a large amount of second homeowners, the dynamics of the housing market in Cape Charles are impacting the overall affordability of housing. Increased housing prices throughout Cape Charles have exacerbated an already existing lack of affordable housing. Cape Charles does have two income-based apartment complexes within the town:

Washington Ave, Seabreeze Apartments - 28 units, family living; and

Randolph Ave, Myrtle Landing apartments – 93 units, senior living.

Housing costs can still be a burden for some households, including an increasing proportion of older adults. In 2020, nearly 16% of Cape Charles’ population was estimated to be below the poverty line. The income-based apartment complexes noted above contribute in this high percentage number. Low-income households must pay a large portion of their income for housing. Generally, households are advised to spend less than 30% of their total income on housing costs (mortgages or rent plus utilities). However, 28.2% of full-time renter payers in Cape Charles spend greater than 30% of their income on housing. Homeowners in town can also be affected by high housing costs resulting in 28.9% of homeowners with mortgages and 18.6% of homeowners without mortgages also spending greater than 30% of their income on housing. (2020 ACS) When people with higher income start purchasing and renovating buildings in an area, one concern is gentrification. Although this increases the economic value of a neighborhood, the negative effect is the displacement of lower income residents due to the increased cost of rent, higher cost of housing, or increased property tax values. Lower income buyers thus cannot compete for the housing within gentrifying neighborhoods and are then forced to seek other neighborhoods that they can afford, which may be far outside the community. In many instances, the cultural value of the displaced residents’ neighborhood could end up disappearing if the low to-moderate income buyers are not given opportunities to stay where they currently reside. With Cape Charles having the highest owner-occupied median housing value in the region, the town has a need for a greater variety of housing types that are affordable. A diversity of housing

types, including small and attached units, is one way to provide greater housing options. Affordable housing remains a national issue, all of the regions towns must work in collaboration with Northampton County to address this challenge.

Workforce Housing Units

In recent years, rising housing prices have made it impossible for much of the workforce to live within the town’s boundaries. This is a group of workers defined as earning between 80% and 120% of the Area Median Income (\$55,104 for Cape Charles). Cost burdened households are defined as those paying more than 30% of one’s income on all housing expenses, such as rent, utilities, or maintenance. Studies and surveys conducted by Cape Charles’ Main Street organization indicate that there is a shortage of workers to support the needs of downtown merchants. Lack of affordable housing is a contributing factor in this shortage. This problem is also occurring at the broader Northampton County level, as well as much of the United States. Developing a greater diversity of housing types, including small and attached units, is one way to provide greater housing options.

Area Median Income (AMI)	80% of AMI	120% of AMI
\$55,104	\$44,083.20	\$66,124.80

Housing Objectives and Strategies

1. Pursue character appropriate additional supply and diversity of housing, including smaller single-family homes, duplexes, town homes, and condos to increase the availability of affordable housing.
 - a. Review the Zoning Ordinance to identify barriers to the development of mixed-income housing, as well as housing diversity that is naturally more affordable by assessing the findings in the report ‘Overcoming Land Use Ordinance Barriers to Housing Development in Northampton County including Town of cape Charles’ (published May 27, 2022). This would include a review of opportunities to decrease parking minimums and/or setbacks in certain zoning districts to increase the amount of developable land on each parcel.
 - b. Review the findings and recommendations from Eastern Shore of Virginia Regional Housing Study (published March 2022) to inform future land use and housing policy.
2. Encourage development of affordable workforce housing.
 - a. Engage local businesses about the housing needs of their employees and distribute said information to County and Regional/State Housing officials.
3. Subject to staff resources, participate in housing financing programs.
 - a. Consider participating in programming, loan, and grant initiatives that support affordable housing, such as Tax-Exempt Bond Financing, the Housing Choice Voucher Program, and the Low-Income Housing Tax Credit Program.
 - b. Disseminate housing assistance information focused on available financing for housing rehabilitation (e.g. Livable Home Tax Credits through DHCD, Rehabilitation Tax Credits through USDA); provide and promote these programs with targeted marketing materials on the Town website and in the offices of the Planning & Zoning and Building Departments.
4. In accordance with the Code of Virginia Sec 15.2-2223.5, Cape Charles shall incorporate into its comprehensive plan strategies to promote manufactured housing as a source of affordable housing. Such strategies may include (i) the preservation of existing manufactured housing communities, (ii) the creation of new manufactured home communities, and (iii) the creation of new manufactured home subdivisions.
5. Address the impacts of short-term rentals (STR) on the existing housing stock. (See also Economy Objective Strategy 1.a)
 - a. Develop and maintain a Town inventory of short-term rental units in collaboration with local real estate/property management groups. Identify whether rentals are located within the Historic District or Bay Creek Planned Unit Development area.
 - b. Coordinate with stakeholders to identify how and when short-term rental units are used.
 - c. Encourage long-term rental conversions through legislation or regulation.



Economy

“Promote a lively economy built around accommodations, food service, health care, social services, education services, retail trade, recreation, public administration, manufacturing, fisheries/maritime activities, and transportation.”

- Overview
- Labor Force Participation Rate
- Unemployment Rate
- Median Household Income
- Employment by Industry
- Major Employers
- Town Revenue
- Economy Objectives and Strategies

Recently developed mixed use building on Strawberry St Plaza.

Economy



Cape Charles Beach “Love” Sign

Overview

Cape Charles is home to a lively economy built around accommodations, food service, health care, social services, education services, retail trade, public administration, manufacturing, fisheries/maritime activities, and transportation (2018 Cape Charles Market Study). The Cape Charles economy is evolving to support growth in other sectors, especially tourism and related sectors, as maritime businesses decline nationwide. Having navigated the worst of the COVID-19 pandemic, the Town continues to encourage the growth of existing businesses, as well as the creation of new businesses, in diverse markets. The Town is pursuing strategies to support businesses of different sizes and structures, ranging from small shops opened by residents to corporations. As shown in the Community Analysis section of this plan, there is an increasing number of retirees in Cape Charles, which influences the census data metrics. As the Town is becoming a desirable place to vacation, own a second home, or retire, its reliance on seasonal influxes of people is influencing what stores and restaurants are available, as well as when they are open. One area the Town seeks to improve in is maintaining a “year round” economy that serves the community’s needs while also attracting visitors.

Labor Force Participation Rate

The Labor Force Participation Rate (LFPR) is the percentage of all people of working age who are either working or actively seeking work (Employed + Unemployed). The American Community Survey estimates the Town’s LFPR at 48.7% for 2020. This is lower than the United States average of 63.4%.

In January 2020, COVID caused a decline in the reported rates across the country due to economic uncertainty. Rates have since started to climb back towards pre-pandemic levels. The chart below shows labor force participation rate by % of that age cohort’s population in Town. These rates incorporate the 16 to 19 years and those 65 and older, which bring down the average participation rate.

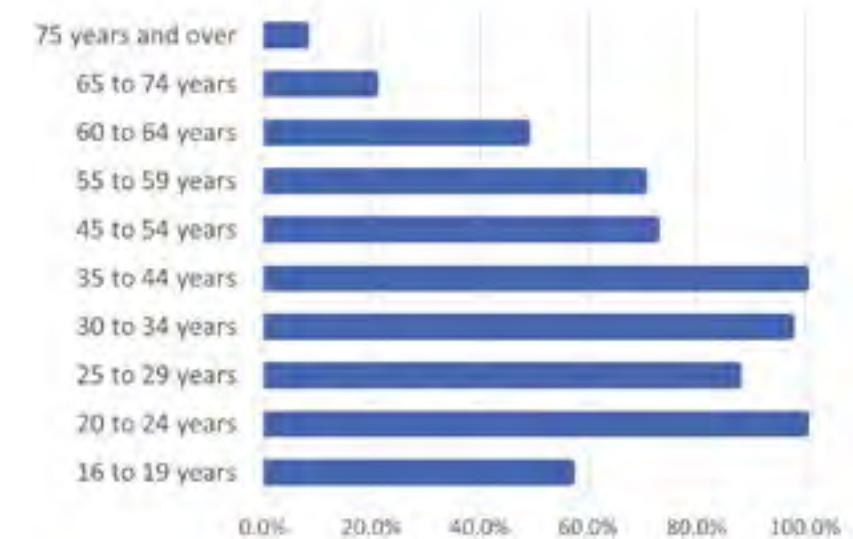


Figure 16: LFPR by Age Cohort 2020 American Community Survey

Unemployment Rate

The Unemployment Rate in 2020 was estimated to be 8.7%. This number fluctuated as a result of the COVID-19 pandemic, which began to cause greater impacts after 2020.

Median Household Income

Cape Charles has a slightly higher median household income than its surrounding Northampton County and nearby Exmore and Accomack County, however, the region is much lower than the median household income of rest of the state, at \$76,398.

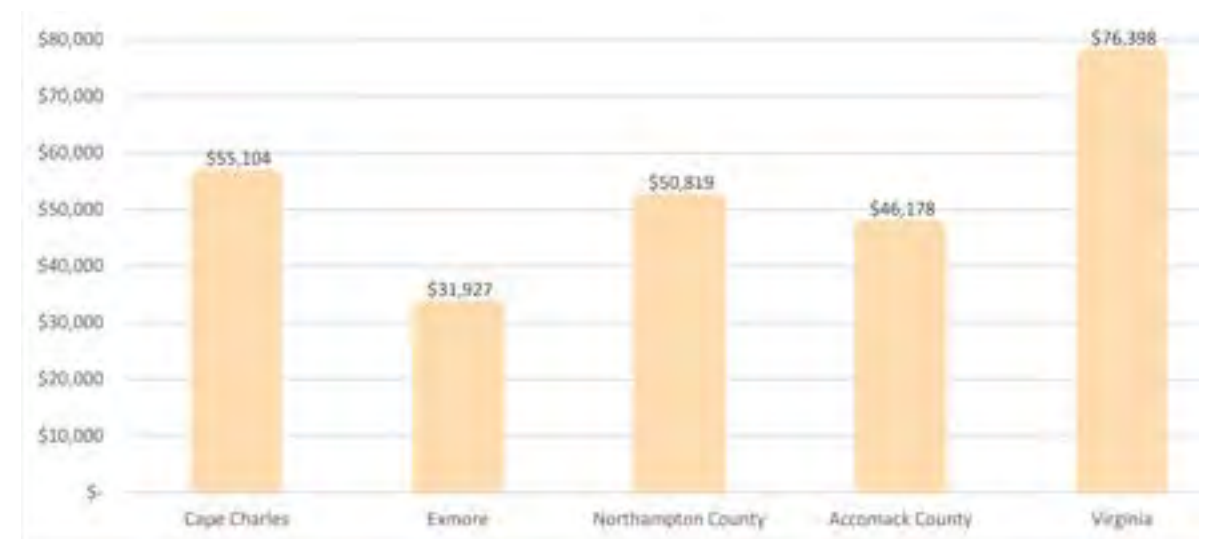


Figure 17: Median Household income, 2020 American Community Survey

Employment by Industry

The largest sectors of employment are Arts, Entertainment, and recreation, and accommodation and food services with Educational services, and health care and social assistance being the second largest. There is some diversity in the Town’s economy, but ideally the town would be more economically resilient if there were more larger employers. One issue that can be tied to the Town’s reliance on arts, entertainment, and food services, is the slowing of retail activity during the Eastern Shore off-season.

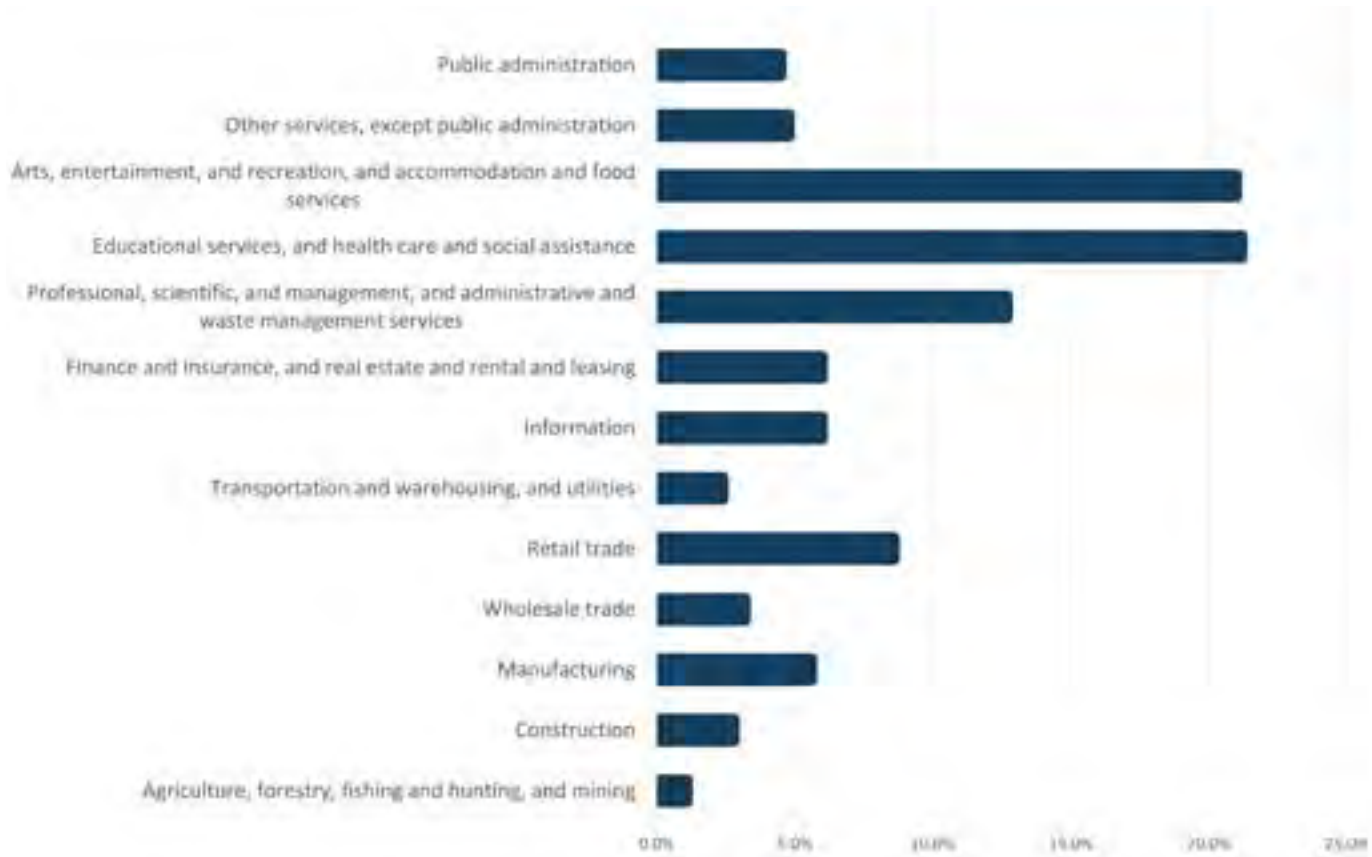


Figure 18: Employment by Industry, 2020 American Community Survey

Major Employers

Coastal Precast Systems, located in the central portion of the Town located by the harbor, and employs 95 people. In total, 100 employees work in Bay Creek. The majority of Bay Creek employees (74) work for Troon, which manages the golf course and club. The remaining 26 employees work for the developer of Bay Creek - Preserve Communities. The Town of Cape Charles employees 41 people in total. Other noteworthy employers are restaurants pubs, such as Kelly’s Gingernut Pub and AJ’s Bar & Grill, as well as hospitality providers, such as Hotel Cape Charles. The top employers in Cape Charles illustrate the diversity of the economy that provides for residents and visitors alike.

Business Name	Full-Time Employees	Part-Time Employees	Seasonal Employees
Coastal Precast Systems	91	4	0
Bay Creek - Troon	41	33	0
Town of Cape Charles	35	6	0
Bay Creek - Preserve Communities	21	5	0
Kelly’s Gingernut Pub	3	18	7
AJ’s Bar & Grill	6	10	0
Hotel Cape Charles	2	0	9

Figure 19: Employers, Cape Charles Main Street

Town Revenue

The image below shows major revenue for the Town during calendar years 2014 through 2021, less real property tax and personal property tax. Revenue increased 157% over the 8-year period (not adjusted for inflation), with a significant increase between 2020 and 2021 after the first wave of the COVID-19 pandemic. Tax rate changes have occurred over the years for the Town’s various taxes, this has impacted the overall revenue numbers throughout the years and should be considered when reviewing total revenue.

Calendar year revenue	2014	2015	2016	2017	2018	2019	2020	2021
Meals Tax	\$255,833	\$306,347	\$331,808	\$377,645	\$473,212	\$500,009	\$406,575	\$622,771
Business License Tax	\$94,217	\$103,998	\$103,351	\$110,340	\$121,211	\$142,398	\$146,080	\$193,262
Transient Occupancy Tax	\$60,994	\$91,367	\$92,942	\$102,378	\$152,218	\$165,459	\$181,865	\$341,335
Local Sales Tax	\$48,577	\$41,130	\$44,262	\$45,344	\$47,846	\$52,441	\$56,672	\$82,511
Short-Term Rentals	\$5,743	\$5,203	\$3,575	\$5,439	\$2,111	\$4,465	\$11,519	\$15,980
Harbor Dockage	\$196,741	\$247,030	\$180,001	\$205,329	\$229,917	\$249,169	\$295,370	\$446,427
Total	\$662,105	\$795,074	\$755,939	\$846,475	\$1,026,515	\$1,113,942	\$1,098,082	\$1,702,285

Figure 20: Town Revenues, Cape Charles Treasurer

Economy Objectives and Strategies

1. Seek a healthy balance between year-round residents, tourists, and second homeowners in Cape Charles.
 - a. Develop short-term rental (STR) regulations to help protect the quality of life for year-round residents.
 - b. Collaborate with Eastern Shore of Virginia Tourism (ESVA), Cape Charles Main Street, and others to promote Cape Charles as a destination.
 - c. Work with other Eastern Shore localities to develop shared strategies for tourist attraction.
 - d. Strengthen and promote available broadband service to increase viability of Cape Charles as a destination for telecommuters and increase broadband hotspot offerings at areas including the Cape Charles Beach, Central Park, and the harbor area.
 - e. Develop and promote events, such as those in outdoor recreation, to attract tourists.
2. Attract families with children to Cape Charles.
 - a. Support Northampton County administration and School Board efforts to strengthen local schools.
 - b. Pursue the construction of new playgrounds and recreational facilities, to include facilities for adolescent and teenaged children.
 - c. Collaborate with local organizations to increase the amount of youth programming.
 - d. Provide opportunities for organizations and community members to plan and host events on town facilities, the public right-of-way, etc.
 - e. Promote the development of year-round, family-supporting jobs.
3. Provide opportunities for households to strengthen their economic wellbeing.
 - a. Collaborate with local and regional partners to develop workforce development programs with connections to local industries.
 - b. Partner with colleges and universities, in collaboration with the Northampton County Board of Supervisors, the School Board, and the Eastern Shore Community College, to develop educational opportunities for residents.
 - c. Partner with public/private entities to promote workforce housing development.
4. Promote and expand businesses in a business-friendly environment.
 - a. Promote a healthy balance of light industrial and commercial activity around the harbor.
 - b. Engage professional planning and economic consultants to develop concept plans for the Harbor area and railroad property, as well as associated design guidelines for the Harbor area that complement the Historic District.
 - c. Develop public/private collaboration efforts to guide business development, help remove obstacles, and improve access to workforce resources.
5. Promote diverse economic benefits for the Harbor area.
 - a. Integrate the area with existing bike and pedestrian networks.
 - b. Promote best management practices for stormwater management and flood protection.
 - c. Provide high-quality public spaces and active street frontages.
6. Preserve and expand the local manufacturing base to ensure diverse employment opportunities.
 - a. Collaborate with existing companies to explore opportunities for community events and/or projects that raise the profile of company benefits to the community.
7. Promote traditional water-based economic activities.
 - a. Engage with local watermen to explore ways the Town can support their businesses.
 - b. Engage with waterfront property owners around the harbor to explore ways the Town can support their businesses.
 - c. Study potential municipal barriers to entrepreneurial efforts in or around the harbor area (e.g. local seafood market).
8. Coordinate with Cape Charles Main Street for studying “chains of activity” in Cape Charles to identify any gaps in combinations of how someone can spend their day.
 - a. Study these chains during all seasons of the year.
 - b. Identify strategies to enhance local economy during winter season.
 - c. Attract businesses to fill gaps in chains of activity.
9. Identify placemaking opportunities to test temporary events, installations, or other features that attract people to the area and encourage them to spend longer periods of time, particularly during the off-season, to promote Cape Charles as a vibrant community. Placemaking involves the intentional implementation of art, public space furniture, or event programming in a space to encourage the public to interact and spend time in the space. Encouraging greater activity increases sense of “place” and can make better use of previously inactive spaces.
10. Update the Accawmacke Plantation Planned Unit Development (PUD) Ordinance that governs the Bay Creek Development to be consistent with the goals and objectives of the Comprehensive Plan.



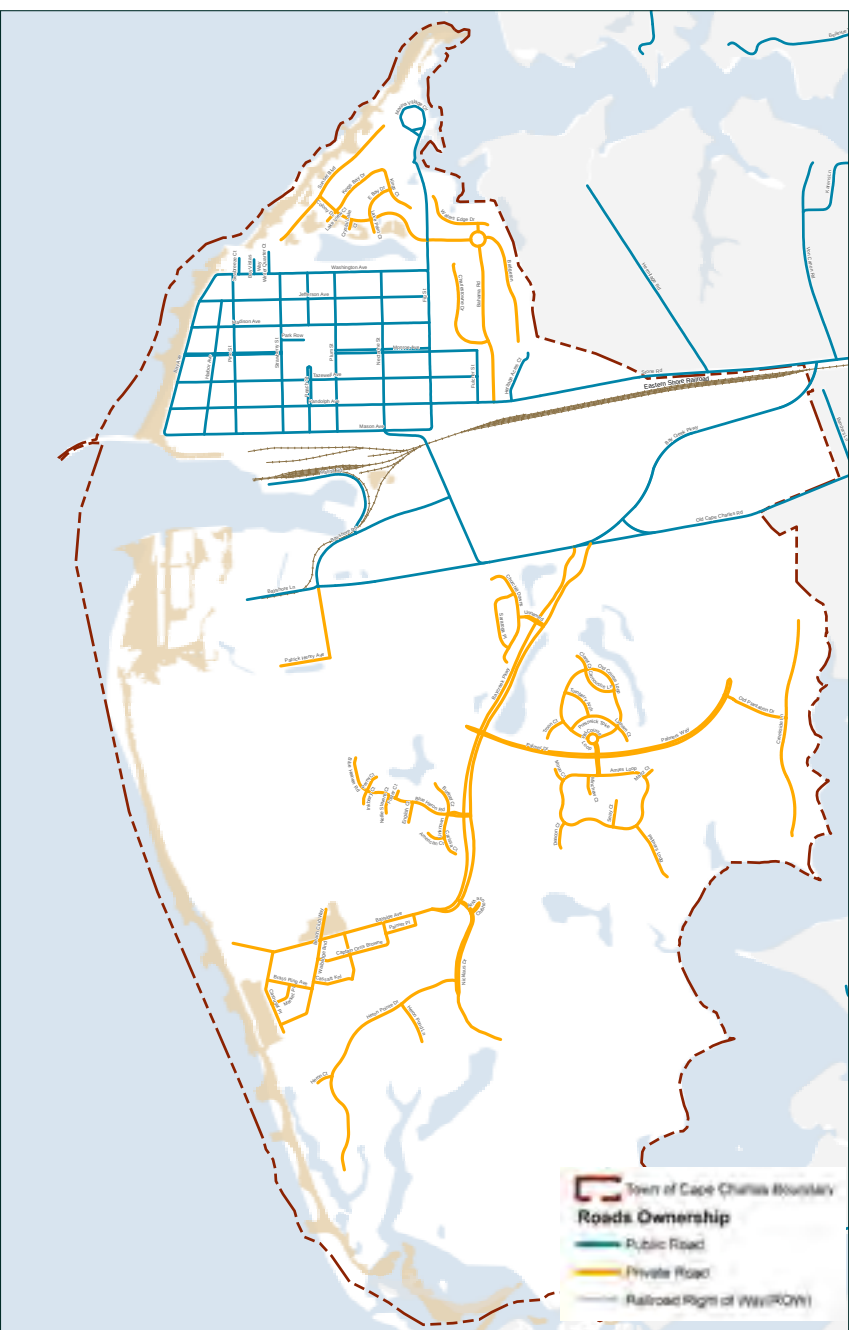
Golf carts and cars parked along Strawberry St.

Transportation

“Create a transportation network that allows residents and visitors to access town amenities by various modes of transportation that support the historic character of Cape Charles.”

- Overview
- Parking
- Public Transit
- Alleys
- Bicycle and Pedestrian Infrastructure
- Golf Carts
- Proposed Multi-Use Path
- Commuting
- Regional Long Range Plan
- Compliance with Virginia Department of Transportation Plans
- Transportation Objectives and Strategies

Transportation



Map 1: Road Ownership

Overview

Transportation is a major factor affecting the growth and development of the community. Residents and businesses depend upon an area’s transportation network for the safe, reliable movement of vehicles, goods, and people. The predominant form of transportation in Cape Charles is the street system, which consists of arterial roads, collector roads, and local roads. Route 13 is the Principal Arterial road on the Eastern Shore of Virginia. Route 184 leading into Cape Charles is a Minor Arterial road. Route 642 to Mason Avenue, Mason Avenue to Bay Avenue, and Bay Avenue are Major Collector roads. All other roads in Cape Charles are local roads. Route 184 connects Cape Charles to Route 13 and serves as the main arterial road of the Town. Route 184 intersects the Town’s historic street grid at Fig Street. The Town’s primary commercial road is Mason Avenue, which serves as the Town’s “Main Street.”

The Town’s transportation plans and policies encourage and can to a large extent guide the type and direction of development. While road systems offer an effective way to move people and goods across various geographical areas, they also have other effects. Roadways have a significant impact on land use and development, economic conditions, and the overall quality of life in a community. Public services such as police, fire and emergency rescue also rely on the safe and adequate provision of roadways. Furthermore, the course of a roadway often determines the paths for public utility lines, including water, sanitary sewer, storm sewer, electrical power, and communications. Facilities for rail, water, pedestrian, and other modes of transportation must also be taken into account. These factors make transportation planning crucial to many aspects of a community.

The public roads in Cape Charles are owned and maintained by Virginia Department of Transportation (VDOT). VDOT measures the volume of traffic on its roads periodically. Overall, a significant increase in traffic was seen in the residential areas of the Town’s Historic District. It is likely that a significant portion of the increase is due to seasonal variations in traffic patterns.



Map 2: Annual Average Daily Traffic

Parking

The availability and location of public parking will be a concern as downtown traffic increases. As more commercial space opens, there could be a shortage of public parking spaces for the downtown area, and the circulation of cars searching for parking could cause disruptions. Special events and seasonal traffic also create a need for additional parking at certain times. The town leases property on the south side of Mason Avenue, which currently has 63 diagonal parking spaces. To alleviate parking concerns within the Historic District, the town requested that the Virginia General Assembly grant street parking delegation to the town from VDOT. The Virginia General Assembly approved the town’s request. The town must decide on policy for on-street parking for oversized vehicles. Additionally, a study of parking spaces in the Historic District was performed in 1999 by the Cape Charles Police Department. The study concluded that there were a total of 4,715 spaces were available. Parking near Mason Avenue is of particular concern to many citizens. The current breakdown of the available parking by street is shown in Figure 21. This is based off of current individual street lengths taking into account intersections and parking on both sides of the street. This does not include either of the parking lots within the Town. There are additional parking spaces not counted in the 1999 study located behind the Strawberry Street plaza leased by the Town.

Area/Street (Both Sides)	# of Spaces (approx)
Historic District (total)	4975
Mason Ave.	473
Randolph Ave.	457
Tazewell Ave.	441
Monroe Ave.	338
Madison Ave.	425
Jefferson Ave.	409
Washington Ave.	400
Bay Ave.	288
Harbor Ave.	233
Pine St.	265
Strawberry St.	267
Peach St.	197
Plum St.	262
Nectarine St.	260

Figure 21: *# from 1999 Cape Charles Police Dept. Study.

Public Transit

STAR Transit, a public transportation program of the Accomack-Northampton Transportation District Commission, provides daily bus service along Route 13. STAR Transit offers multiple routes with fixed stops in Cape Charles, and also allows riders to request stops anywhere along designated routes. The buses are equipped with bicycle racks, which allow riders to travel to and from bus stops by bicycle. This service is of particular value to Town residents who do not have access to a private vehicle or want to reduce their carbon footprint. In addition, specialized transportation services are offered by local nonprofit organizations, including the Eastern Shore Area Agency on Aging and the Eastern Shore Community Services Board.

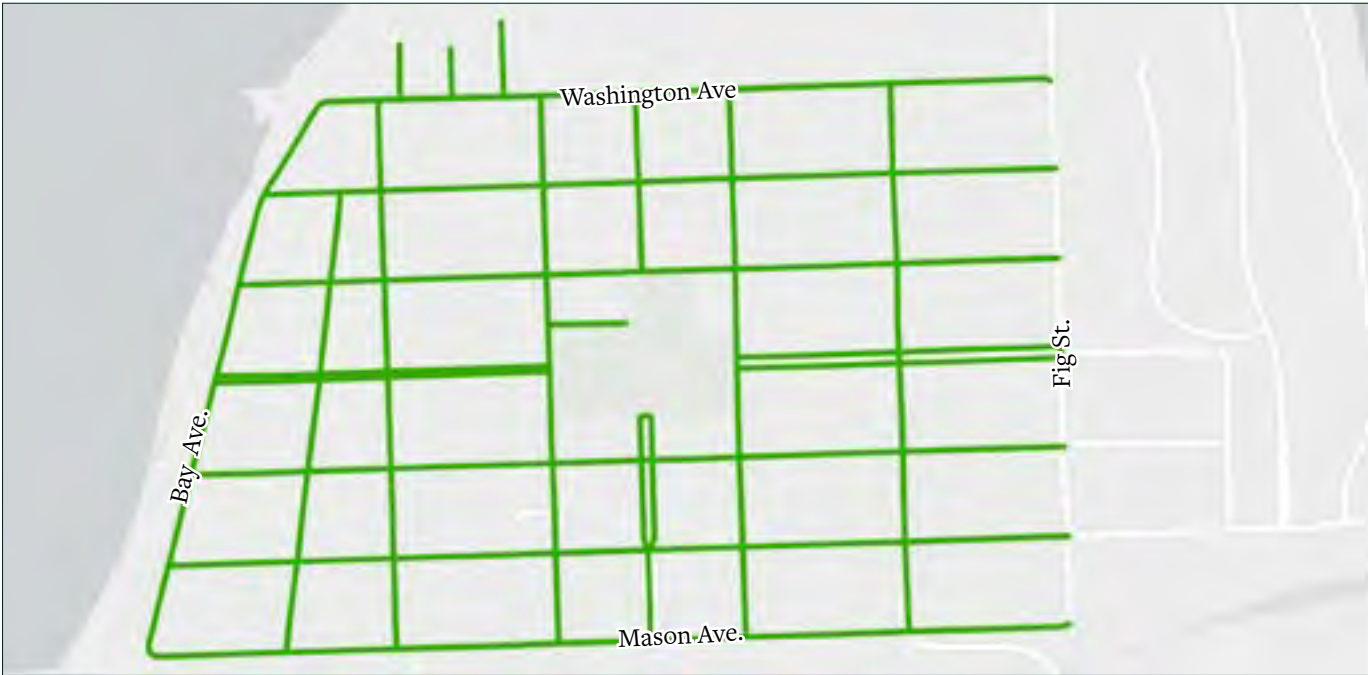


Star Transit Bus, Star Transit Website

Alleys

A substantial number of alleyways exist in the Town’s Historic District. Approximately half of these alleys are used for garbage collection. Alleys also provide critical access for public safety vehicles. Where possible, alleys need to be continuous through the block to provide adequate accessibility. Currently, some of the alleys in the Historic District are in need of repair. The Town is responsible for the maintenance of all public alleyways. There is a need to clearly define ownership of all alleys to ensure the appropriate parties are aware of their maintenance responsibilities.

Map 3: Existing Parking



Map 4: Alleyways



Bicycle and Pedestrian Infrastructure

Sidewalks exist in the downtown area for pedestrian traffic. The sidewalks within the Historic District are owned by VDOT and are located within the public right of way. While sidewalks exist in a large portion of the Historic District, many of the Town’s sidewalks are in a state of disrepair. Additionally, sidewalks are missing in some areas, particularly in the northern section of the Historic District. A VDOT Sidewalk Study conducted in 2017 found that the majority of the Historic District’s sidewalks were functional. See Map 7, updated from the 2017 VDOT Sidewalk Study.

A Sidewalk Committee met in 2019-2020 to study the completion, repair, and maintenance all the sidewalks in the historic district. Their recommendations were presented to the Town Council in March of 2020. The Sidewalk Committee’s recommendation was that a budget line item be added starting as soon as possible and continue for an additional three years to complete new and repair existing sidewalks throughout Town.

A sidewalk trip hazard contract was awarded in October 2021 and was completed in November 2021. This contract addressed trip hazards of 0.50 inches or greater located in the 3.8 miles of VDOT maintained sidewalks within Cape Charles. VDOT started replacing broken sidewalk segments in the Historic District in November 2022.

The Town lacks bike paths and other multi-use paths. With the expected increase in visitors and residential population, it is important to consider alternative means of transportation, including walking, golf carts, and bicycling. The 2035 A-NPDC Long Range Transportation Plan recommends creating a system of bike routes and multi-use paths to accommodate the Town’s current and future transportation needs. There is a distinct need for a multi-use path connecting Mason Avenue to the harbor, so that access from downtown to the harbor is convenient and safe. The downtown area is separated from the harbor by the old railroad yard, and pedestrian access between the harbor area and Mason Avenue is currently accomplished through a marked path. A series of private multi-use paths exist in the southern tract of Bay Creek.

Pedestrian and bike infrastructure is a key component of the Town’s mobility network that promotes healthy, active living, supports tourism, and is a fundamental mode of transportation for those without access to an automobile. In October 2018, Town Council approved participation with the Accomack-Northampton Planning District Commission (A- NPDC) and Northampton County in applying for funding to construct Phase IV of the Southern Tip Bike & Hike Trail. Phases I & II are completed and run about five miles from the Eastern Shore of Virginia National Wildlife Refuge Visitors Center to Capeville Drive. Phase III is under design and will terminate near the US 13/SR 184 intersection. Phase IV would bring the trail into Town along the railroad right-of-way on the south side of SR 184, for a total of about 12.5 miles. It would connect to a planned future phase of the Cape Charles Community Trail. A Memorandum of Agreement was executed, and A-NPDC applied for funding under the VDOT Highway Safety Improvement Program (HSIP). A grant of \$2.5 million had been received in 2022 to construct the Phase IV trail connecting Cape Charles to a Rt. 13 terminus.



Multi-Use Path.



Map 5: Sidewalks

Golf Carts

One increasingly popular means of getting around Cape Charles is the golf cart. Virginia localities can designate roads as available for use by golf carts, however they must apply for a land use permit to the Virginia Department of Transportation to ensure the decision to designate the road is not overturned as a result of golf carts impeding the safe and efficient flow of motor vehicle traffic. The locality must consider many factors such as the connectivity, character, volume, and posted speed limit of the road, which is not to exceed 25 miles per hour. Golf carts frequently use multi-use paths to reach the downtown. An increase in golf cart usage has also been observed in the Historic District. The Town issues licenses for golf carts, and allows them to operate on streets where the speed limit is twenty-five miles per hour. At slower speeds and the ability to park more spatially efficient, encouraging the further use of golf carts alongside biking and walking is one way the Town can reduce congestion and improve traffic safety.



Golf Carts parked in Cape Charles downtown.

Proposed Multi-Use Path

Cape Charles is in the process of creating a multi-use trail with the goal of providing better multi modal transportation facilities and to connect different areas of Town, including the Historic District, the harbor area and the Bay Creek development. Phase 1 (Central Park) and Phase 2 (north Peach Street and Washington Avenue) have been completed. The Town Council has decided to implement a reduced scope Phase 3, encompassing the block of Peach Street between Randolph and Mason Avenues and the connection to the south side of Mason Avenue. Map 6 shows the proposed route of the multi-use trail.



The multi-use path runs through the park.



Map 6: Proposed Multi-Use Trail

Commuting

The majority of employed residents of the Town work within the Town’s borders, showing a good relationship between living and working locally. 18% are reported to work from home, with 8.7% carpooling, 5.4% walking, and 65.7% driving alone. There is the opportunity for th Town to increase the amount pedestrians and bicyclist commuters among the 55% of respondents who both liv and work in Cape Charles.



Figure 22: Place of Work, 2020 American Community Survey

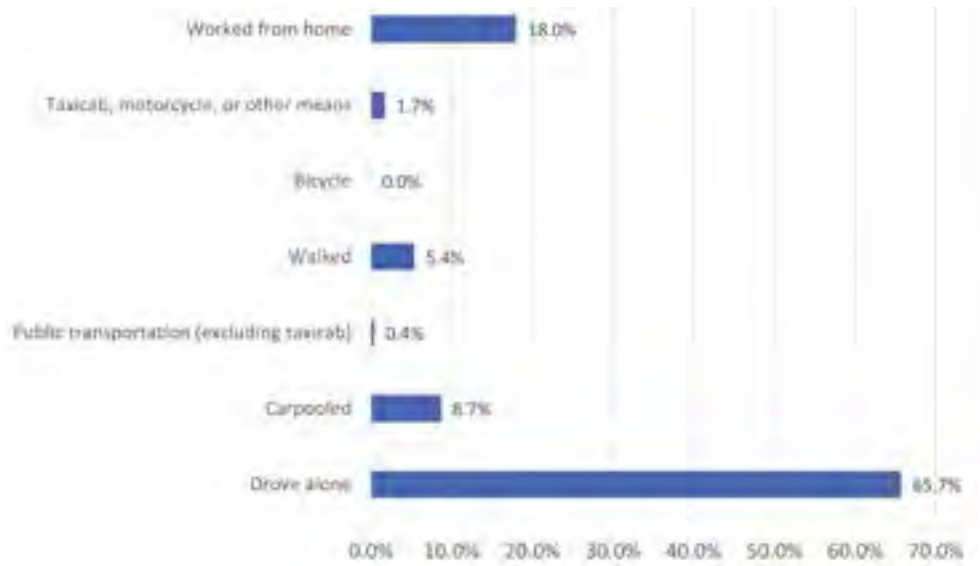


Figure 23: Means of Commuting to work 2020 American Community Survey



Parked cars in the Cape Charles downtown.

Regional Long Range Plan

In 2011, Accomack-Norhampton Planning District Commission (A-NPDC) developed the A- NPDC 2035 Regional Long Range Transportation Plan in cooperation with VDOT, Accomack County, Northampton County, and the local governments of the Eastern Shore. This Regional Long Range Transportation Plan is one piece of the VDOT’s VTrans 2035, the Commonwealth’s multimodal long-range plan and a more detailed subset report known as the 2035 Surface Transportation Plan. The transportation system within the rural areas for each region was evaluated, and a range of transportation improvements – roadway, rail, transit, air, bicycle, and pedestrian – are recommended that can best satisfy existing and future needs. There are four recommended projects in or relevant to Cape Charles:

- US 13/VA 184/US 13 BUS: Mid-Term replace with new half-cloverleaf design interchange with acceleration and deceleration and turn lanes as appropriate and construct elevated structures over railway tracks and VA 184.
- VA 184 (Randolph Avenue) at Fig Street: Perform study to assess need and operations for roundabout. (Cape Charles)
- VA 642 (Old Cape Charles Rd.) from VA 1108 to US 13: Long-term reconstruct road to address geometric deficiencies (including full-width lanes and shoulders).

The Annexation Agreement of 1992 provides for the construction of an extension to Route 1108 and the closure of Route 642 (Old Cape Charles Road) at the intersection of Route 642 and Route 667 (Bender’s Lane). The project was completed by VDOT in 2018. Cassatt Parkway was constructed to connect Route 184 (Stone Road) with Old Cape Charles Road at its intersection with Bay Creek Parkway.



Cassatt Parkway, Northampton County



Map 7. Rural Long Range Transportation Plan Projects

Compliance with Virginia Department of Transportation Plans

In accordance with Chapter 22, Article 3, Section 15.2-2223 B. 1., this Plan includes a transportation plan that designates a system of transportation infrastructure needs and recommendations that include the designation of new and extended transportation facilities and that support the planned development of Cape Charles. This plan is also aligned and compliant with the Virginia Department of Transportation’s Six-Year Improvement Program and has been submitted for the department’s review. This comprehensive plan is intended to work in concert with regional and statewide goals, beginning with including planned and programmed projects. This Plan will also help to advance the goals and guiding principles of Virginia’s Transportation Plan, or VTrans by promoting multimodal transportation.

There are currently no identified VDOT projects within Cape Charles borders. However, VTrans has identified two nodes of mid-term transportation needs to increase vehicular access to economic development sites on the south side of the Cape Charles harbor.

Transportation Objectives and Strategies

- 1. Reduce traffic congestion by reducing local vehicle miles traveled (VMT) by automobile.
Coordinate with Land Use objectives and strategies.
 - a. Plan and implement comfortable, accessible, and convenient multimodal transportation options.
 - b. Prioritize increasing the number of people walking and bicycling in town.
 - c. Inventory bicycle parking available within the town to ensure that all areas of the town have good access to bicycle parking.
 - d. Utilize “ad campaign” style communications about the benefits of prioritizing walking and bicycling in town.
 - e. Promote golf cart use in appropriate areas.
- 2. In cooperation with the Virginia Department of Transportation (VDOT), strive to enhance walkability and complete the sidewalk network, especially in the Historic District.
 - a. Provide sidewalks on all urban streets with clear paths (unobstructed by trees, bushes, street lights, etc.) that are at least 5’ wide.
 - b. Clearly mark pedestrian crossings.
 - c. Use minimal curb radii and/or curb extensions to minimize crossing distances for pedestrians.
 - d. Ensure ADA compliance on all sidewalks.
 - e. Explore the implementation of mirrors at all alleyways to increase visibility for pedestrians.
 - f. Clarify and adopt Town policy regarding sidewalks ensuring the responsible party to implement them is defined.
- 3. Implement new policies and strategies for maintaining safety around golf cart operation.
 - a. Clarify municipal code regarding golf cart operation, ensure that signs are posted with the ordinance notifying golf cart operators that they must use the street and follow other rules of the road.

- 4. Increase the availability of parking while maintaining character.
 - a. Review benefits of providing clearly marked parking spaces on Bay Avenue.
 - b. Expand the existing parking facility south of the Mason Ave corridor to mitigate the impacts of parking on walkability in the area.
 - c. Study parking and create a strategic parking plan to recommend any infrastructure or policy changes.
- 5. Identify ownership and alignment of all of the alleys and access easements in town to ensure accuracy and that maintenance is performed by rightful owner.
 - a. Create plan to clearly identify ownership of all alleys and inform owners of their maintenance responsibilities.
 - b. Determine if existing alignments are correct.
 - c. Determine if additional alleys are needed, or if existing alleys need to be moved, especially behind commercial buildings, and develop a plan to enhance access.
- 6. Collaborate with the Accomack-Northampton Transportation District Commission to promote accessible and affordable public transit in Cape Charles and throughout the region.
 - a. Collaborate with STAR Transit to pursue convenient, safe, and frequent bus service to key commercial, residential, and recreational destinations.
- 7. Complete the construction of the multi-use path connecting the Historic District, the harbor area, and the Bay Creek development.
 - a. Make future improvements to the path, including resting areas and bicycle/golf cart parking.
- 8. Integrate the Harbor area with existing bike, golf cart, and pedestrian networks.
- 9. Support the Rails to Trails project connecting Cape Charles to the Route 13 multi-use path.



Forest and wetlands near Kings Creek Marina.

Environment

“Use policy and infrastructure to maintain and improve ecological resources and sustain an economy that relies on their wellbeing.”

- Overview
- Climate
- Topography
- The Resilience Adaptation Feasibility Tool (RAFT)
- Soils
- Surface Water
- Ground Water
- Drinking Water
- Wastewater
- Storm Water
- Wetlands
- Habitat
- Waterfront Access
- Shoreline Erosion
- Recycling
- Tree Canopy Coverage
- Environment Objectives and Strategies

Environment

Overview

Cape Charles has an inextricable link to its environment, particularly as a community on the water. With careful planning, the Town will protect its natural resources for future generations.

Climate

The climate of Cape Charles can be described as temperate, with warm, humid summers and chilly, but not very cold winters. July is the warmest month, and has an average daily high temperature of around 85 degrees Fahrenheit. Winters are relatively mild, with January being the coldest month. The average daily high temperature in January is 47 degrees, and the average daily low temperature is 32 degrees. The entire Eastern Shore is usually slightly warmer in the winter and cooler in the summer than the rest of Virginia due to its proximity to the Chesapeake Bay and the Atlantic Ocean.

On average, the most precipitation in Cape Charles occurs in July and August, but generally rainfall is evenly distributed throughout the year. The Town averages 45 inches of precipitation yearly. Severe storms present a risk during hurricane season from June 1 to November 30. Severe northeasterly storms can also affect the area during the fall and winter months. With rising average annual temperatures across the United States, storm events and temperature fluctuations may be more severe in the future.

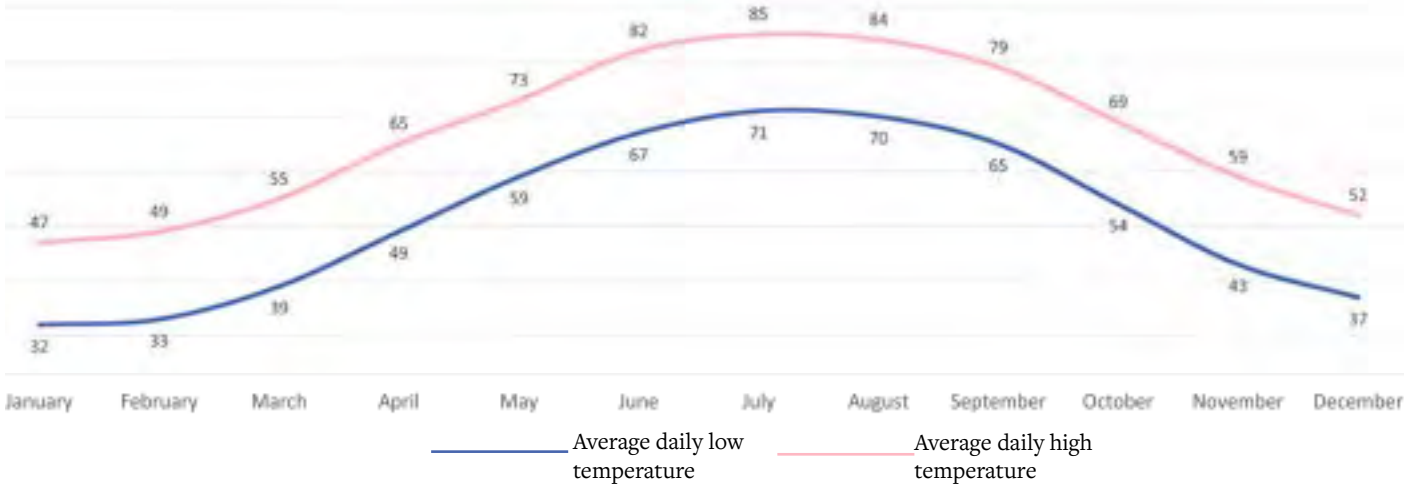


Figure 24: Average Annual Temperature, National Oceanic and Atmosphere Administration

Topography

Cape Charles lies on a peninsula and is surrounded by water on three sides. The Town is situated on the Chesapeake Bay, bordered by King’s Creek to the north and Old Plantation Creek to the south. The land in Town is low lying and relatively flat, with most of the developed land in Town between five and fifteen feet in elevation. Due to its low-lying topography, Cape Charles is vulnerable to flooding. Hurricanes and northeast storms, which are characterized by high winds, heavy rainfall, higher than normal tides, and higher than normal wave action, pose threats for flooding. All coastal areas are susceptible to flooding, therefore flood insurance is recommended for properties in coastal Virginia. However, the Federal Emergency Management Agency (FEMA) has mapped areas that are predicted to have a higher probability of flood. The Virginia Flood Risk Information System has a tool that allows you to look up your address and displays the FEMA determined areas at higher risk of flood. Portions of Cape Charles are located within the 100-year floodplain, as shown in Flood Hazard Area Map on Page 73. The floodplain and associated wetland areas provide valuable wildlife habitat areas as well as protect upland areas from erosion and flooding. The 100-year floodplain is delineated by the FEMA.

Land within the 100-year floodplain (Special Flood Hazard Area) statistically averages one flood in a 100-year time period, which equates to a 1% chance of flooding in any given year. However, flooding can occur more often if conditions warrant. Development within a floodplain must take these risks into account to ensure the safety and welfare of property owners. The Flood Hazard Area Map on page 73 also reflects a 500-year floodplain.

National Flood Insurance Program (NFIP) participating communities can reduce policyholders’ premiums by participating in the Community Rating System program. The program awards points to communities that implement flood protection policies beyond minimum NFIP participation requirements. Cape Charles participates in this program and as a result has been able to achieve a 10% policy discount for its area participants. These discounts apply to NFIP policies in a Special Flood Hazard Area (100-year floodplain) and some policies located outside the area.

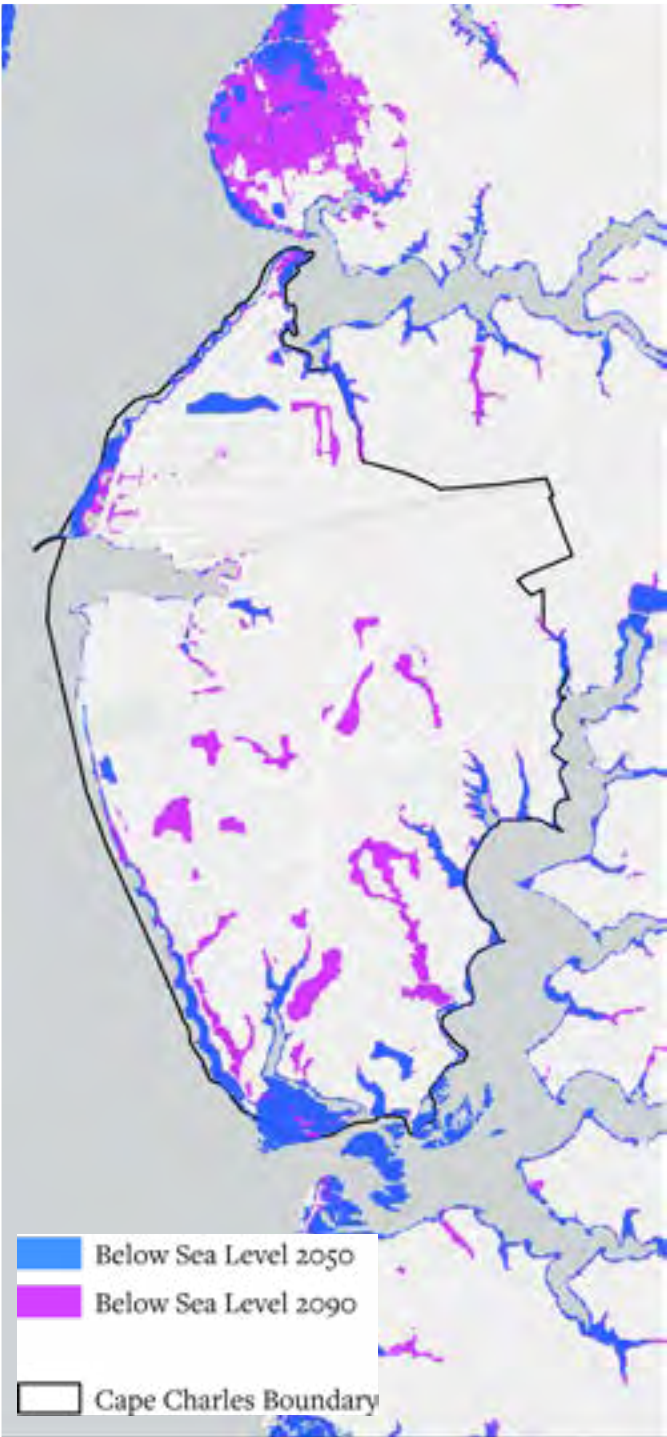
The Resilience Adaptation Feasibility Tool

The Resilience Adaptation Feasibility Tool (The RAFT) was conceived and developed by an academic interdisciplinary collaborative core team, led by the University of Virginia Institute for Environmental Negotiation (IEN), the William & Mary Law School Virginia Coastal Policy Center (VCPC), and Old Dominion University/Virginia Sea Grant (ODU), collectively “The RAFT Team.” Funded by a Restoration and Community Stewardship grant from the National Fish & Wildlife Foundation (NFWF), the core team’s goal was to develop a robust Resilience Scorecard and to test it with three coastal communities. Cape Charles participated as one of these pilot communities. The Resilience Scorecard is designed to be completed independently by the academic collaborative, and provides a comprehensive assessment of the locality’s resilience to flooding while remaining economically and socially relevant. The Scorecard is comprehensive in that it measures environmental, economic and social resilience factors. It covers local policy, infrastructure, budgeting and economics, land use, community engagement, community health and wellness, and ecosystems.

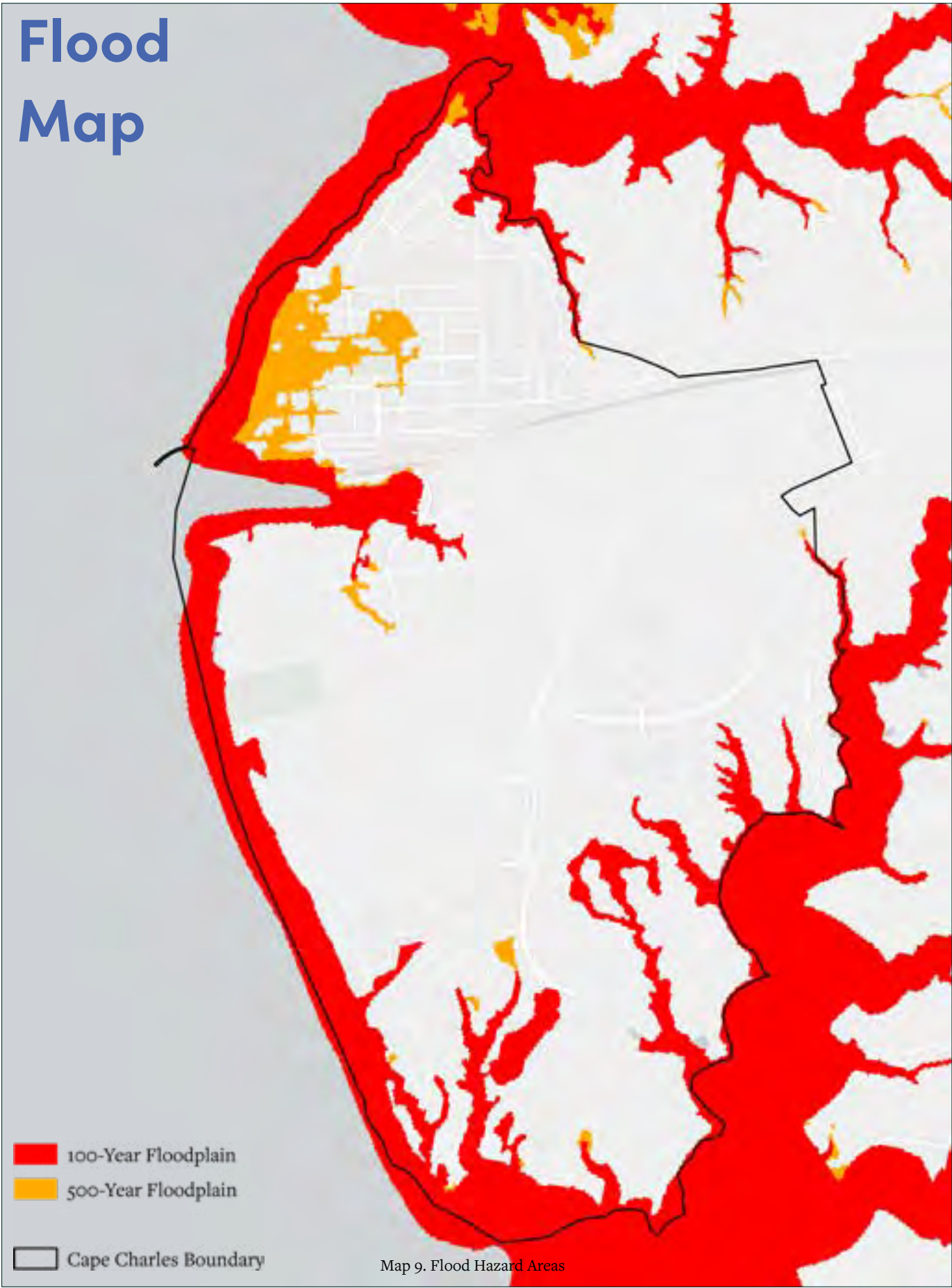
While there are many models and assumptions that are continually being updated as more knowledge is obtained, one model is presented in Map 9 taken from Virginia Eastern Shore Coastal Resilience mapping tool depicting basic inundation from sea level rise for Year 2075 assuming a high projection on level rise. In this model, basic inundation data has been updated based on sea level rise scenarios from the 2017 National Climate Assessment.

The Resilience Action Workshop (June 2017) was conceived as a way to help catalyze meaningful action at the local level to increase a locality’s resilience to coastal hazards. While, on its own, the Resilience Scorecard might increase understanding, community leadership is needed to bring about meaningful change. During the workshop, participants were introduced to the Scorecard and reviewed its findings to identify the locality’s greatest resilience strengths as well as opportunities for improving resilience in the future. To build coastal resilience, Cape Charles needs to understand its vulnerability to coastal hazards, reduce the risks where possible and be prepared to respond to severe weather.

The town needs to renew its commitment for continued study and action in this area, perhaps creating a committee that reviews study results and provides recommendations for addressing its resiliency to flooding.



Map 8 . Sea level rise projections for 2050 and 2090 (NOAA Intermediate Projections)



Map 9. Flood Hazard Areas

Soils Map

- Assateague Sand
- Beaches
- Bojac Fine Sandy Loam
- Bojac Loamy Sand
- Camocca Fine Sand
- Chincoteague Silt Loam
- Dragston Fine Sandy Loam
- Fisherman Fine Sand
- Molena Loamy Sand
- Munden Sandy Loam
- Nimmo Sandy Loam
- Polawana Loamy Sand
- Udorthents & Udipsamments
- Cape Charles Boundary

Map 10. Soils

Soils

As shown in the Soils Map on the opposite page, Bojac and Munden soils are the predominant soils in Cape Charles. Bojac soils are considered very suitable for development, while Munden soils are considered fair. Poor soils, which are generally unsuitable for development, are found along the edges of the Town’s shorelines and in isolated areas inland. All of the soils in Town are either hydric or highly permeable, with ground water being a relatively shallow distance underneath. Highly permeable soils are extremely susceptible to pollutant leaching and create a high potential for ground water pollution. Hydric soils are primarily wet and drain poorly. Soils are identified with a three character symbol. The first letter is the first letter in the soil’s name. The second letter distinguishes between classifications that begin with the same letter. The third letter indicates the class of the slope. The A class has the lowest slope, while the E class has the steepest slope present in this area. Soil types within Cape Charles are discussed below:

- Assateague Sand (AsE):**
Gently sloping to very steep, very deep, and excessively drained. On and between dunes along the Bay. Very rapid permeability and low water capacity. Used mainly for wildlife habitats and recreation areas. High permeability, slope, sandy texture, and the hazards of seepage and instability limit development.
- Beaches (BeB):**
Sandy marine sediments deposited by wave action. Used mainly for wildlife habitats and recreation areas. Tidal flooding, severe erosion, and accretion of sediments limit most other uses.
- Bojac Fine Sandy Loam (BoA):**
Nearly level, very deep, and well-drained farmland. Moderately rapid permeability and instability of the soil are limitations to development.
- Bojac Loamy Sand (BhB):**
Gently sloping, very deep, and well drained. Moderately rapid permeability and instability of the soil are limitations to development.
- Camocca Fine Sand (CaA):**
Nearly level, very deep, and poorly drained. Very rapid permeability. Used for wildlife habitats and

- recreation areas. Seasonal high water table, flooding, sandy texture, and instability hazard limit soil for development.
- Chincoteague Silt Loam (ChA):**
Nearly level, very deep, and very poorly drained soil located primarily in tidal marshes. Tidal flooding, the seasonal high water table, ponding, low strength, and salt are major limitations for development.
- Dragston Fine Sandy Loam (DrA):**
Nearly level, very deep, and somewhat poorly drained. Used mainly for cultivated crops and woodland. Seasonal high water table, rapid permeability, poor filtering capacity, and seepage limit development.
- Fisherman Fine Sand (FhB):**
Nearly level, gently sloping, very deep and moderately well drained.
- Molena Loamy Sand (MoD):**
Moderately sloping to steep, very deep, and somewhat excessively drained. Rapid permeability. Slope, high permeability, and droughtiness limit soil for development. Used mainly for woodland and wildlife.
- Munden Sandy Loam (MuA):**
Level, deep, and moderately well drained. Seasonal high water table and rapid permeability limit development.
- Nimmo Sandy Loam (NmA):**
Nearly level, deep, and poorly drained. Used for farmland when drained. Seasonal high water table, seepage, and rapid permeability are limitations for development. Limited for roads and streets.
- Polawana Loamy Sand (PoA):**
Nearly level, very deep, and very poorly drained. Used mainly for woodland. Seasonal high water table, rapid permeability, flooding, and wetness are major limitations for development.
- Udorthents & Udipsamments (UPD):**
Mainly fill and spoil materials and sandy materials in excavated areas. Characteristics are so variable that on-site investigation is necessary to determine suitability for most uses.

Surface Water

Surface water in Cape Charles includes the Chesapeake Bay to the east, King’s Creek to the north, and Old Plantation Creek to the south and east. All surface water has a high saline content, except for several small ponds located within the Town, which are fresh or brackish water. Cape Charles is characterized by extensive shorelines, ranging from sandy beaches on the Chesapeake Bay to marsh fringes on King’s Creek and Old Plantation Creek. Approximately 19,200 feet (3.6 miles) of shoreline front directly onto the Chesapeake Bay. The entire Town lies within the Chesapeake Bay watershed, draining either directly into the Bay, or into Old Plantation Creek and King’s Creek, and then into the Bay.

The Chesapeake Bay has played an important role in the history and identity of Cape Charles and the Eastern Shore, providing valuable economic, environmental and recreational resources, and serving as the nation’s largest and most productive estuary. However, pollution is causing the Bay’s water quality to decline. Pollution can be classified as either point source or nonpoint source. Point source pollution results from discharge at a specific point, such as the Town’s wastewater treatment plant. Nonpoint source pollution is not attributable to distinct, identifiable source, but enters water indirectly. Nonpoint source pollution includes stormwater runoff from developed land and impervious surfaces, runoff from agricultural land, and erosion of soil and shorelines. Under natural conditions, water running off the land soaks into the ground and is filtered by soils and vegetation root systems. Disturbing sensitive areas can increase the speed and volume of surface runoff, resulting in erosion, sedimentation, and siltation of ship channels — a particularly devastating process to a Town with economically vital harbors and marinas. In settled areas where much of the land is paved or “impervious,” stormwater cannot soak into the ground and runs off very rapidly. The runoff carries pollutants such as oil, sediment, chemicals, pesticides, and excess nutrients from fertilizer, which eventually reach the waters of the Chesapeake Bay unless filtered or retained by some structural or nonstructural technique. Pollution of the water column and a reduction in the amount of light reaching submerged aquatic vegetation choke important parts of the aquatic food chain.

Ultimately, spawning grounds and benthic habitats are destroyed, resulting in serious problems for commercial fishermen. Land management techniques that minimize the amount of impervious surfaces and increasing the filtering capacity of the land can be used to reduce nonpoint source pollution. The Town has enacted a Chesapeake Bay Preservation Act Program, which enables the Town to protect water quality through local land use regulations. The Bay Act is a Virginia Law, which provides a legislatively mandated approach to protect and improve the waters of the Chesapeake Bay and its tributaries by reducing nonpoint source pollution through wise resource management practices. The Town has designated Chesapeake Bay Preservation Areas (CBPAs), and has applied certain development standards to these areas. The Town’s CBPAs consist of Resource Protection Areas (RPAs), Resource Management Areas (RMAs) and Intensely Developed Areas (IDAs).



A golf cart drives past the pooled stormwater.

Future development activities in these preservation areas are guided by the Town’s Zoning Ordinance, which establishes standards to mitigate development impacts on water quality.

RPAs consist of sensitive lands at or near the shoreline which have important water quality value to the Bay, such as tidal shorelines and wetlands. RPAs also include a 100- foot vegetated buffer area landward of these features, where development activities are restricted. RMAs consist of sensitive land types which have the potential for causing significant water quality degradation if they are improperly developed. RMAs in Cape Charles include the 100-year floodplain and non-tidal wetlands. Development within RMAs should be planned in a manner which reduces the impact of nonpoint source pollution. IDAs consist of densely developed areas that are largely devoid of natural vegetation. The Town’s IDAs are located adjacent to the Cape Charles harbor and at the Bay Creek Marina. IDAs are designated to focus development in areas where it is already concentrated and supported by existing infrastructure while improving water quality. New development and redevelopment in IDAs must achieve a 10% reduction in nonpoint source pollution from storm water runoff. Opportunities for water quality improvement through redevelopment of IDAs include re-establishing natural vegetation and establishing a vegetated buffer over time to promote the water quality benefits of natural vegetation.

Another element of nonpoint source pollution includes boating activity. Due to its location on

the Chesapeake Bay, Cape Charles is popular with recreational boating and fishing enthusiasts. In addition, commercial fishing is a small yet visible activity in Cape Charles. While boating-related activity has a positive impact on the local economy, it can adversely impact Bay water quality if not handled properly. Several boat-related facilities are located in the Town, including a public marina and harbor as well as a commercial marina. Boating activity can potentially degrade water quality through inappropriate discharge of human waste and trash, fuel spills, oil spills, and toxic bottom paints. In order to lessen the impact of water pollution through proper waste disposal, the Virginia Department of Health requires marinas to have restroom facilities, pump-out facilities, and sewage dumping stations for portable toilets.

An extremely clean environment is needed for shellfish to thrive and be consumed safely. Shellfish require water fourteen times cleaner than where humans can safely swim. The Virginia Department of Health (VDH) monitors water quality to determine where shellfish can be safely harvested. Unclean areas are condemned by VDH and cannot be harvested. Map 11 provides locations of shellfish grounds that have been condemned in areas near Cape Charles. In addition to shellfish grounds, a substantial amount of submerged aquatic vegetation is located in the waters surrounding Town. Boating activity can impact fisheries in the area by causing increased water turbidity, which can choke shellfish grounds and decrease the amount of sunlight reaching submerged aquatic vegetation.



Map 11. Shellfish Areas
The crosshatched areas represent condemned shellfish areas. The dots represent seasonally condemned shellfish areas. See the Virginia Department of Health website for more information.

Ground Water

Cape Charles, along with the entire Eastern Shore of Virginia, depends entirely upon ground water for its water supply needs. Ground water on the Eastern Shore is made up of a series of aquifers — bodies of sediments capable of yielding water. The uppermost aquifer is called the Columbia aquifer, also known as the water table. In the Cape Charles area, the Columbia aquifer is approximately 40 to 70 feet thick. Below the Columbia aquifer is the Yorktown aquifer system, consisting of upper, middle and lower units. The Town’s water supply is withdrawn from the upper and middle Yorktown aquifer units. The Yorktown aquifer system is separated from the Columbia aquifer by confining layers of clay, which help protect it from contamination, but also impede the amount and rate of recharge.

Fresh water is supplied into the aquifer system by rainfall, which penetrates the soil and recharges ground water aquifers. The Eastern Shore ground water flow system is characterized by brackish water of the Bay to the west and salt water of the Atlantic Ocean to the east, with limited occurrence of freshwater. Most water in the Columbia aquifer flows laterally from the center of the Eastern Shore peninsula, discharging into the Atlantic Ocean and Chesapeake Bay. A much smaller portion of water flows down through the clays and silts that separate the Columbia aquifer from the underlying Yorktown aquifers. Ground water recharge occurs near the center spine of the peninsula, forming an island-type freshwater lens. The Town is not located within the spine recharge area. Ground water modeling studies indicate approximately 11 million gallons of water are recharged to the Yorktown aquifer each day.

Because ground water is a limited resource, water conservation is critical in protecting and managing this valuable resource. Over pumping of ground water is a concern for the Eastern Shore, and could lead to well interference, saltwater intrusion, and a deterioration of water quality. In Cape Charles, water conservation measures are crucial for maximizing the available water supply and meeting future demands.

The Eastern Shore of Virginia is divided into five wellhead protection areas, based on ground water divides created by pumping patterns of the major ground water withdrawers on the Eastern Shore. Cape Charles is located in Wellhead Protection Area E - Cape Charles Area. This wellhead protection area

is the southern-most wellhead protection area on the peninsula.

In 1997, the Environmental Protection Agency (EPA) designated the Eastern Shore’s aquifer system as the Columbia and Yorktown-Eastover Multiaquifer System Sole Source Aquifer. A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water to its overlying area. This designation helps protect ground water quality by requiring EPA review of all projects receiving federal funding.

The Eastern Shore of Virginia was declared a Critical Ground Water Area in 1976. Any party needing to withdraw 300,000 gallons per month or more in the Eastern Shore Ground Water Management Area must obtain a permit from the Virginia Department of Environmental Quality (DEQ). All permit holders are required to report ground water use and implement a water conservation and management plan.

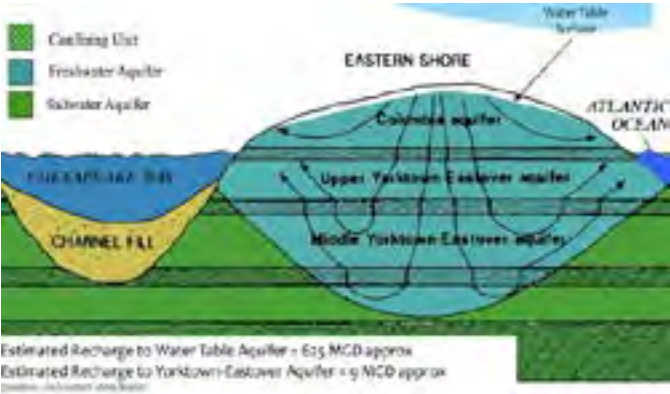
Cape Charles has been approved for a Ground Water Withdrawal Permit from the DEQ allowing a withdrawal capacity of 7.9 million gallons per month. A ground water impact assessment was conducted for the Town to study possible effects of the withdrawal, and found that over the 10-year permit period, no measurable saltwater intrusion or other water quality changes are expected to occur. However, it is possible that some saltwater intrusion may occur in the lower Yorktown aquifer in the long term (100 years) as a result of the Town’s withdrawal, in which case treatment of potable water by reverse osmosis can be used as a contingency.

Ground water contamination due to septic filter fields is not a major issue in Cape Charles because most residents and businesses in the Town are served by public utilities, however, nine septic systems still exist. When demand is created by future development, public sewer services will be extended to parts of Cape Charles that are not currently served. Property owners receiving the new services will pay for the cost of extending public utilities to these areas, as provided for in the Town Code.

The Eastern Shore of Virginia Ground Water Committee has overseen the development of regional ground water plans and studies since 1990. The mandate of the committee is to “assist local governments and residents of the Eastern Shore in understanding, protecting and managing ground water resources, to prepare a ground water resources protection and management plan, to serve as an educational and informational resource to local governments and residents of the Eastern Shore, and to initiate special studies concerning the protection and management of the Eastern Shore ground water resource.” Cape Charles recognizes the regional nature of the ground water issue and supports the committee in its efforts.



Eastern Shore Ground Water Committee’s Logo.



Eastern Shore Aquifer diagram.

Drinking Water

The Town of Cape Charles water system receives its water from two wells located within 100 yards to the East and West of the Water Treatment Plant. Both are screened in the Upper and Middle Yorktown-Eastover Aquifer. In addition, the Town has another 2 wells that are in the process of being connected to the Water Treatment Plant. Currently 300,000 to 350,000 gallons per day (24 hours) are treated during tourist season and 100,000-150,000 (approximately 125 gallons per day per household) in the offseason. The plant itself has a design capacity of 500,000 gallons per day if both wells are run simultaneously; however, the Town’s current water withdrawal permit limits production to 360,000 gallons per day. The town is in the process of applying for new permits with higher limits. The water tower has a holding capacity of 300,000 gallons. The potable water distribution pipes have been replaced. Contaminants in the Cape Charles drinking water are routinely monitored according to Federal and State regulations. In order to ensure that tap water is safe to drink, EPA prescribes regulations which limit the number of contaminants in water provided by public water systems. The December 2021 Drinking Water Consumer Confidence Report issued by the Town has shown no violations in the Water Quality Results, in disinfection and disinfection by-products, and in lead and copper contaminants.



Cape Charles water tower.

Wastewater

The wastewater treatment facility built in 2010 and operational in 2012 is handling less than its maximum capacity and was built to be easily expanded when the need arises. Current treatment capacity averages 250,000 gallons per day in-season (although more can be pushed through on any given day) and closer to 125,000 gallons per day off-season. This 250,000 gallons per day capacity average is determined by the State based on controlling the amount of pollution pumped into the Chesapeake Bay. The treatment facility has the capacity for expansion to 500,000 gallons per day. Pumping stations located within the Town have been updated except for Washington Avenue and a filtering field for the pumping station at Bay and Mason Avenues to decrease the odor. Currently all treated wastewater is pumped into the Chesapeake Bay.

Storm Water

Storm water goes directly into the Chesapeake Bay and treatment is not required. However, the poor condition of the storm water and wastewater collection systems results in a portion of the storm water going through the wastewater system and being treated on its way into the Bay using treatment capacity that is needed for wastewater. The amount of storm water infiltration into the sewer collection system is a serious concern that should be evaluated so that a corrective action plan can be developed.



Storm water at Randolph Ave & Plum St intersection.



Storm water at a Mason Ave. crosswalk.

Wetlands

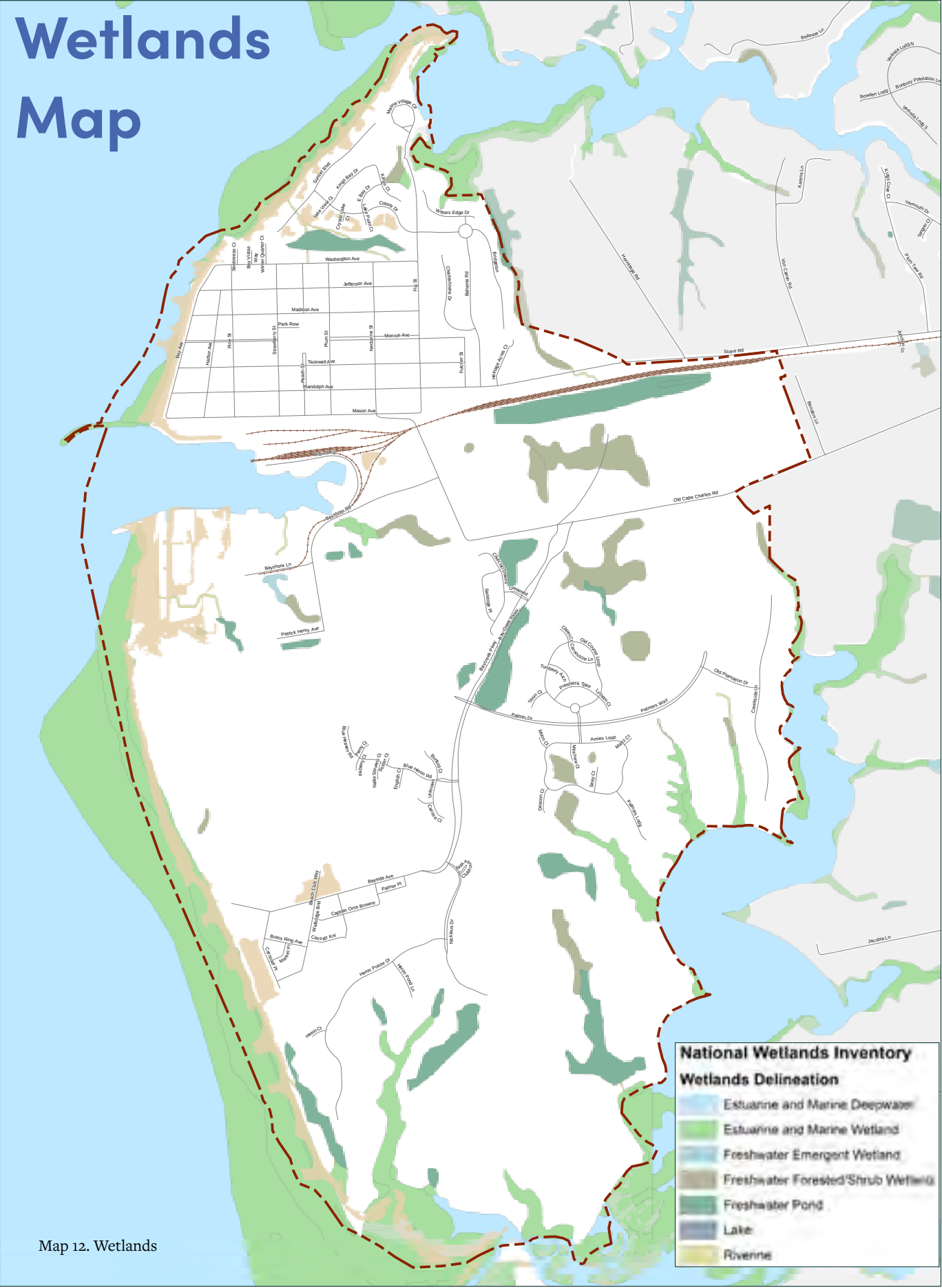
Several parts of Cape Charles are considered wetlands. Wetlands can be defined as areas that are wet or have wet soils during some part of the growing season. Tidal wetlands are influenced by tidal fluctuations and exist along the coastline. Tidal wetlands may include vegetated marshes and swamps or non-vegetated mud and sand flats. Non-tidal wetlands are usually found inland and are not impacted by tidal changes, but still meet the definition of a wetland. Local land that is included in the U.S. Fish and Wildlife Service’s National Wetlands Inventory can be viewed in the Wetlands Map on page 83.

Wetlands have historically been considered wastelands, because they are usually not suitable for farming or building due to their unstable and wet nature. Often these areas are also breeding grounds for insects. In the past, wetlands were frequently drained or filled to make the land developable. This negative view overlooks several important characteristics of wetlands. Wetlands are home to a diverse population of mammals, waterfowl, and marine organisms. In addition to providing homes for species that are of direct benefit to humans, many other plant and animal species are exclusively present in wetlands, making the areas an important part of regional ecosystems. Wetlands also offer a natural means of protecting water quality. Densely vegetated wetlands act as a natural filter by trapping sediments and nutrients before they reach nearby waterways. The filter feeding organisms present in non-vegetated wetlands also protect water quality by removing suspended solids from the water column. Because of their location near coastlines, wetlands can also protect an area from flooding and erosion. The dense root systems present in vegetated wetlands can help slow erosion caused by unusually high tides and wave action. The sponge-like quality of the soils present in wetlands can also protect the upland against flooding by absorbing some flood water resulting from a rise in sea level.

Cape Charles recognizes the multitude of important characteristics wetlands possess. Many regional wetlands have been filled or drained in recent decades, making it imperative to preserve the existing wetlands. The Town has adopted a Wetlands Ordinance to regulate the use of these areas, and has a Wetlands Board that oversees activities in wetlands.



Wetlands in Cape Charles.



Map 12. Wetlands

Habitat

Cape Charles encompasses diverse and significant ecosystems which support a variety of wildlife and plant species. Forested upland areas are located in the southern portion of Town along the edges of Bay shoreline, and in several large tracts further inland. These forested areas, particularly near the Bay shoreline, provide important habitat for a variety of wildlife. As previously mentioned, the Town’s wetlands also support a variety of species. The Virginia Department of Game and Inland Fisheries lists several species of animals as threatened in the Town and its vicinity. These species include, but may not be limited to, the Northeastern Beach Tiger Beetle and the Bald Eagle. Cape Charles is located along one of the most significant flyways on the eastern seaboard for migratory birds, including waterfowl, shorebirds, and migratory songbirds, which are declining worldwide. The eastern coastline of the Bay is vulnerable to forest fragmentation and other disturbances. Habitats required for transient, breeding, and resident bird species, and particularly the vegetation upon which they depend, have been greatly reduced. Protection of these areas is critical to insure the healthy continuance of local and regional ecosystems. Future development could potentially place further stress on migratory and other land bird species, as well as the large variety of wildlife and plant species found in the area. Located south of Coastal Precast Systems is the Coastal Habitat

Natural Area Preserve, a 50-acre habitat protection area (expanded by 20.7 acres in 2020). This preserve, found on the Bay side of the Eastern Shore, is within the Audubon Lower Delmarva Important Bird Area (IBA) and considered internationally significant for migratory birds according to Virginia Coastal Zone Management Program’s Geospatial and Educational Mapping System (Coastal GEMS). It is also part of the DWR Virginia Birding and Wildlife Trail. Most of the Preserve acreage protects forested uplands that may be viewed from a wheelchair accessible boardwalk. A small amount of very sensitive dune and shoreline habitat, along with several rare species, are also protected here but access to these is restricted. The preserve provides habitat for the federally threatened northeastern beach tiger beetle (*Cicindela dorsalis dorsalis*). Coast bedstraw (*Galium hispidulum*), an herbaceous plant, grows on the dunes at the interface between open grassy areas and shaded areas where shrubs and trees dominate. During fall migration, the forest abounds with migratory songbirds and raptors resting and feeding before continuing their journey across the Chesapeake Bay. A long boardwalk takes visitors through several forested natural communities, including a globally-rare Maritime Dune Woodland, and ends at a low bluff overlooking the Chesapeake Bay. The preserve is owned and managed by the Department of Conservation and Recreation.



Birds perched at the eroding jetty.

Waterfront Access

By providing public waterfront access, the Town encourages the public to experience firsthand the importance of water quality in Cape Charles through recreational pursuits such as sightseeing, fishing, and swimming. Numerous public waterfront access areas exist in Cape Charles, including the harbor, Cape Charles beach, the municipal pier, and the Coastal Habitat Natural Area Preserve. King’s Creek Marina (formerly Bay Creek Marina) also provides waterfront access. Preserving the quality of the Bay and its tributaries is a high priority in Cape Charles. Development pressure in waterfront areas threatens environmentally sensitive habitats which are critical to Bay wildlife and water quality. The high demand for waterfront property has increased land values, making public acquisition of these lands difficult or impossible. This makes it critical that the Town maintain, improve, and preserve all public lands which provide waterfront access as well as collaborate with private landowners to ensure protection of the environment.

Shoreline Erosion

The Town has approximately 19,200 feet of shoreline fronting directly on the Chesapeake Bay. The mean tide range is 2.4 feet and the spring tide range is 2.9 feet. Prevailing winds along the shoreline have an average velocity of 10 miles per hour and are from the south to southwest. The effective fetch from Cape Charles to the south/southwest is about 16 miles, with an average depth of 25 feet. Cape Charles Beach, which begins at the Cape Charles harbor and extends north approximately 2,800 feet (1/2 mile), consists of a narrow sandy beach, bordered by a boardwalk and public street. North of Cape Charles Beach is approximately 4,400 feet (3/4 mile) of natural shoreline bordering the Bay, extending to the mouth of King’s Creek. At the mouth of King’s Creek, the shoreline extends for 9,500 feet (1.8 miles), forming the eastern boundary of the Town. The shoreline of King’s Creek is characterized by wetlands, consisting of fringe and embayed marsh. South of Cape Charles Beach and the Cape Charles harbor is a 12,000 foot (2.2 mile) stretch of natural shoreline fronting the Bay, characterized by a sandy beach. The northern half of this beach is wide and sandy, with sand dunes. The southern half of the beach is sandy and narrow, with tree stumps and woody debris, and an elongated pond running behind and parallel to the south end

of the beach. The beach extends to the mouth of Old Plantation Creek, where the shoreline turns inland, extending approximately 14,500 feet (2 3/4 miles) and forming the southeastern boundary of the Town. The shoreline of Old Plantation Creek is characterized by wetlands consisting of fringe and embayed marsh.

Cape Charles Beach has been used as a recreational area since the early 1900’s. In 1982, Brown and Root, Inc. transferred the title of the public beach to the Town. The transfer stipulated that the beach would remain public and would be maintained by the Town. The beach has been steadily deteriorating for thirty years before the transfer. Portions of this shoreline are still eroding. A study conducted by Byrne and Anderson in 1978 found that the historic erosion rate in Cape Charles had been 1.5 feet per year. Erosion accelerated in the 1980’s. A study by the U.S. Army Corps of Engineers in 1991 indicated that erosion rates from 1986 to 1990 were four to five feet per year. Current documentation of erosion rates in Cape Charles do not exist. However, based on visual assessment of the beach, it is likely that the Town’s erosion rate has remained high. This trend may continue, as there is belief in the scientific community that overall erosion rates in the Chesapeake Bay area have accelerated in the past several years.

The most significant cause of shoreline erosion in the Chesapeake Bay system is the combined action of wind and waves on the shoreline. Storm winds generate large waves which cause much of the damage. During storms and hurricanes, strong winds push additional water against the ocean coast and into the Chesapeake Bay, resulting in higher water levels of tides, which generally range between one and three feet, but may reach several feet in magnitude. Aside from the obvious hazard of flooding low-lying areas, these higher tides permit the erosive action of the waves to directly attack the fastland above the usual buffer provided by the beach. Offshore shoals help protect Cape Charles by reducing the height of waves that are greater than three feet in height. However, the impact of these waves is still significant.

According to the Public Beach Assessment Report for Cape Charles Beach, prepared by VIMS in 1993, the shoreline in Cape Charles is typically affected by northwest winds which occur from late fall to early spring, as well as southwest and westerly winds that are most frequent from early spring to late fall. Waves created by northeast storms do not impact the Cape Charles shoreline directly, but usually produce significant storm surge. As the post-storm winds often shift to the northwest, the water level is elevated for a short period of time. This scenario can produce high waves acting on the Cape Charles shoreline.

Erosion activity is further influenced by short-term fluctuation of lunar and storm tides and long-term sea level rise. The average sea level rise in the Bay is about .01 foot per year, or one foot per century. Although this rate seems small, its effect is dramatic considering that the fringes of the Bay have very gentle slopes, where a small increase vertically covers appreciable horizontal distance. Thus, each decade brings constant encroachment against the fastland.

Several shoreline protective measures have been taken in recent decades. The public beach contains a seawall, consisting of a walkway and bulkheading which extends 2,300 feet along the back of the beach from the stone jetty. In 1982, groins were constructed at the public beach, which were 150 feet long and 300 feet apart. A severe storm in November, 1985 resulted in extensive damage to the beach. The beach was significantly widened in 1987 as a result of beach nourishment with 87,000 cubic yards of sand dredged from the harbor channel by the Army Corps of Engineers. The beach fill project was of major beneficial impact to the public beach. In 2016, Virginia Marine Resource Commission notified the town that the dredging for the Cape Charles Navigation Project was completed. The total quantity of material removed was 142,623 cubic yards. 113,078 cubic yards was sent to the Cape Charles Harbor Upland Placement Site and 29, 545 cubic yards was pumped onto the beach as beach replenishment.

In 1988, the Town initiated a project to install sand fencing and dune grasses, to help stabilize the public beach and control blowing sand. Fences were installed by the Department of Transportation and the Youth Conservation Corps, and dune grasses were planted by volunteers. Extensive dunes have

developed as a result of these efforts. The current dune system has reached elevations between five and ten feet above sea level.

In 1993, VIMS prepared the Public Beach Assessment Report for Cape Charles Beach, which assessed the rates and patterns of beach change on Cape Charles' public beach. According to the Report, the public beach had been reduced in volume approximately 19% since the beach nourishment project of 1988. By 1995, severe erosion along the north end of the beach had exposed the face of the bulkhead. Approximately 1,200 cubic yards of sand were used in 1995 to fill the area in front of the bulkhead, and in 1996 dune walkovers were constructed to prevent erosion due to foot traffic.

Several other shoreline protective structures exist in Cape Charles, located at the harbor and the public beach. A stone jetty is located at the northside of the harbor entrance, extending 1,200 feet into the Bay. The jetty protects the harbor somewhat from waves and limits sedimentation in the harbor from longshore drift. The jetty also helps protect the public beach by serving as a significant barrier to littoral transport of nourished beach sand. At the southside of the harbor entrance is a 200 foot earthen jetty, or mole, which anchors the end of the beach and helps keep the harbor mouth open. Approximately 4,500 feet of bulkheads line the periphery of the harbor and eliminates most shoreline erosion in the harbor. As time goes on, the jetty is slowly deteriorating and will need eventual investment and repairs as part of the Town's Capital Improvement Plan.



The deteriorating jetty on the north side of the harbor.

The storm drain outfall has also had a local impact on the very north end of the beach. The public beach is bordered on the north by a large storm water outfall pipe that extends about 300 feet from the bulkhead into the Bay. The pipe was installed as part of the 1988 beach nourishment project and subsequently has been reinforced with gabions including gabion spurs on either side. Presently, the outfall has a local effect on the public beach by partially blocking sand moving south along the shoreline from King's Creek. The outfall and associated spur are also causing an alteration in the beach platform to the immediate south. Artificial nourishment is needed periodically on the beach, due to lack of sufficient natural sand supply for replenishment. Sand retaining devices are also needed beneficial to prevent sand from eroding. The Town hired Vanasse Hagen Brustlin, Inc. (VHB) to design shoreline stabilization for Cape Charles Beach. Four near shore breakwater structures were constructed to control erosion along approximately 1,700 linear feet of shoreline, with the last structure installed over 2019 and 2020. As of 2022, the Town is monitoring the shoreline to determine if a fifth breakwater structure that was designed as part of the shoreline stabilization project will be necessary. A Beach and Dune Management Plan was developed by the Wetlands and Coastal Dune Board at the request of the Cape Charles Town Council in 2018. This plan encompasses the public beach and the dunes, which are an integral part of the public beach area. Under Commonwealth of Virginia regulations, publicly-owned land is excluded from the permitting authorities of wetlands and coastal dune boards. However, the town requested advice and recommendations from this board to help guide town management of this vital public resource. In this context, Cape Charles board recommendations are advisory, that is, non-binding. The board's recommendations are consistent with town ordinances, which represent the Town's policy. Town Council adopted the plan In February 2019, and town staff utilize it to govern replenishment and protective activities.



Shifting sands cover a walkway along the beach.

Recycling

Cape Charles assesses the feasibility and environmental impact of recycling annually to determine if curbside service should be provided locally. Currently, the community can take their recyclable waste to centers located throughout Northampton County. While it is often requested, the cost and environmental impacts associated with providing it may prevent the service from being feasible for the Town.

Tree Canopy Coverage

Master Tree Plan and a Tree Conservation and Preservation Ordinance were created by an appointed committee by the Town Council. The Master Tree Plan (<https://www.capecharles.org/pview.aspx?id=9713&catid=605>) and is adopted as an addendum to the Comprehensive Plan policies. The Tree Conservation and Preservation Ordinance has been adopted as an amendment to the Zoning Ordinance. As a result of these adopted regulations, site plan submissions for any site development activity must include provisions for planting of trees to meet canopy coverage requirements. Commercial site plans must include provisions for ten percent tree canopy coverage, and residential site plans must include provisions for twenty percent tree canopy coverage. Canopy coverage is calculated based on projected canopy after twenty years of growth. The new regulations are also intended to implement a no net loss policy for trees within the streetscape. A permit is required to remove a tree within the streetscape. In most cases, removed trees must be replaced with another tree.

Environment Objectives and Strategies

1. Enhance water quality of the Chesapeake Bay.
 - a. Support intensifying the monitoring of all measures of the bay's health.
 - b. Update the Town's ordinance to reduce the amount of impervious surfaces in town to slow stormwater and contaminant runoff.
 - c. Increase the amount of vegetation and other bioretention infrastructure to filter stormwater before it enters the bay. This could be achieved either through individual projects or with new development.
2. Continue to promote the strong aesthetics of the town and limit pollution from litter.
 - a. Ensure easy access to refuse and recycling bins at town facilities and in public right-of-way.
 - b. Educate residents and visitors of best practices through signage and other materials as necessary.
 - c. Engage with seasonal vendors, such as food trucks, to ensure that they have adequate access to waste receptacles.
 - d. Ensure that stormwater passageways are in good working order and clean from debris.
3. Utilize best practices, along with infrastructure improvements, to ensure high quality drinking water.
 - a. Encourage water conservation measures to ease the load on water treatment equipment.
 - b. Review water quality improvement initiatives from other localities to develop and identify which strategies may be effective in Cape Charles.
4. Maintain the beach and harbor to protect the long-term viability of their ecological services and economic benefits.
 - a. Control dune, beach, and shoreline erosion through regulation and best practices.
 - b. Improve vehicular access from Mason Avenue to town harbor as part of new development to the waterfront.
 - c. Preserve the integrity of and accessibility to the water's edge.
5. Promote coastal resiliency through policy, development regulation, and enforcement.
 - a. Consider setting new sustainability targets regarding materials, construction practices, etc.
 - b. Consider incentives to promote the use of sustainable development practices.
 - c. Continue active participation in the Resilience Adaptation Facility Tool (RAFT).
6. Protect natural resources, especially wetlands and other sensitive ecosystems.
 - a. Prevent development in environmentally sensitive areas.
 - b. Consider establishment of wetlands bank.
 - c. Conduct annual educational campaigns directed at coastal and creek tributary property owners regarding the Resource Protection Area and the Resource Management Area applicable to their properties. Provide information on best practices regarding landscaping: the maintenance of trees, shrubs, bushes, and other vegetation, as well as appropriate species and sizes to use for replacement, if necessary.

7. Working with the Town Wetlands and Coastal Dune Board, continue to implement Coastal Resources Management guidance from the Virginia Institute of Marine Science.
 - a. Refer to the guidance presented in the locality's Comprehensive Coastal Resource Management Portal (CCRMP) prepared by VIMS to guide regulation and policy decisions regarding shoreline erosion control.
 - b. Utilize VIMS Decision Trees for on site review and subsequent selection of appropriate erosion control/shoreline best management practices:
<http://ccrm.vims.edu/decisiontree/index.html>.
 - c. Utilize VIMS' CCRMP Shoreline Best Management Practices for management recommendation for all tidal shorelines in the jurisdiction.
 - d. Consider a policy where the above Shoreline Best Management Practices become the recommended adaptation strategy for erosion control, and where a departure from these recommendations by an applicant wishing to alter the shoreline must be justified at a hearing of the board(s).
 - e. Encourage staff training on decision making tools developed by the Center for Coastal Resources Management at VIMS.
 - f. Follow the development of the state-wide General Permit being developed by VMRC. Ensure that local policies are consistent with the provisions of the permit.
 - g. Evaluate and consider a locality-wide permit to expedite shoreline applications that request actions consistent with the VIMS recommendation.
 - h. Seek public outreach opportunities to educate citizens and stakeholders on new shoreline management strategies including Living Shorelines.
 - i. Follow the development of integrated shoreline guidance under development by VMRC.
 - j. Evaluate and consider a locality-wide regulatory structure that encourages a more integrated approach to shoreline management.
 - k. Consider preserving available open spaces adjacent to marsh lands to allow for inland retreat of the marshes under rising sea level.
 - l. Evaluate and consider cost share opportunities for construction of living shorelines.
8. Consider the creation of a committee to provide recommendations for increasing the Town's resiliency to storm events or delegate these responsibilities to the Dunes and Wetlands committee.
9. Assess the feasibility of providing recycling in the Town from year to year. Promote use of the Northampton County recycling drop off service.
10. Study and support efforts to protect Cape Charles existing tree canopy while encouraging new plantings. Follow the guidance found in the Master Tree Plan (see <https://www.capecharles.org/pview.aspx?id=9713&catid=605>).
11. Evaluate the amount of storm water infiltration into the sewer collection system and develop a corrective action plan.



Local event at the Central Park gazebo.

Community Facilities & Services

“Create vibrant community facilities through flexible use, attractive aesthetics, and year-round programming for residents and visitors of different ages and interests.”

- Community Facilities
- Amenities
- Private Amenities
- Broadband
- Educational Facilities
- Public Services
- Recreational, Cultural, and Youth Activities
- Cape Charles Medical Services
- Active and Engaged Partnerships
- Community Facilities & Services Objectives and Strategies

Community Facilities & Services

Community Facilities

Cape Charles' community facilities include many Town owned properties. This section provides descriptions of the facilities as well as some background information about the facility and any plans for the future.

Cape Charles Town Hall, 2 Plum Street

The town is currently served by a Town Hall, which houses most staff including the Police Department, but excludes Public Works, Public Utilities, and the Library. The Public Works Department is located close to the entrance of the Town and consists of one old building and one newer building, surrounded by a large lot. Town Hall itself has safety and regulatory concerns, as it is not accessible to those with disabilities. It is too small, and the staff has long outgrown the building. Some re-configuring has been done, as well as temporary uses of other public and private space, but that was a short-term fix. The Town is currently in the design phase of replacing the Town Hall building. There is a line item in the budget to accomplish this. The existing Town Hall will be sold and become part of the downtown business area.

The Cape Charles Memorial Library, 201 Mason Avenue

The Cape Charles Memorial Library (CCML) is the oldest library on the Eastern Shore. Previously known as the Northampton Memorial Library, the library had its beginning in a private home in 1919. In 1926 it was moved to the vacated First Presbyterian Church at 500 Tazewell Avenue and in 2013 the library moved into its current home, the former Bank of America building at 201 Mason Avenue. The CCML provides a wide range of services for the community and for citizens of all ages. The library has a Computer Lab with seven computers for public use as well as Wi-Fi access. The CCML is supported by the Friends of the Library. This volunteer group has supplied the library with children's computers, additional furniture, and support for children's programming. The library function should remain in the business district on Mason Avenue and preferably in its current location. The building itself is slated to be divided, with the Town retaining ownership of the areas currently being used for the library, and the rest of the building being sold for commercial/residential development.

The Civic Center, 500 Tazewell Avenue

The Civic Center, a former church, then town library, is used for meetings of the Town Council, Planning Commission, Historic District Review Board, Harbor Area Review Board, the Board of Zoning Appeals. Due to a lack of space at Town Hall it is also used by town staff as a conference room. The maximum capacity of the building is 99. The building is slated to be sold, and a new Council Chamber/public meeting space will be constructed as part of a new Town Hall complex.



Cape Charles Town Hall.



Cape Charles Memorial Library.



Cape Charles Civic Center.

Cape Charles Central Park, at the junction of Monroe Avenue and Peach Street

Central Park is owned by the Town but also served by the volunteer group Citizens for Central Park. It is used for a very popular free summer concert series, group meetings, art and craft sales, picnics, unstructured sports, and has a much-used children's playground featuring a small zip line. The Park has a sidewalk just inside its perimeters that is used for exercise and dog walking. Two tennis courts have recently been re-fitted to be used as pickle ball courts as well as tennis. Cape Charles Christian School uses the park for its physical education programs. Immediate future plans feature a "family game area" for adults and children on the southeast corner, which will include horseshoe and corn hole courts, picnic tables, benches, trees and small tables with seating for chess. At Christmas the park is decorated, and sponsors a tree lighting ceremony and a lighted golf cart parade known as "The Grand Illumination." Portions of the Park can be rented for private events. Members of the U.S. Coast Guard often use the Park for regular exercise.

Strawberry Street Plaza, between 230 and 300 Mason Avenue

Strawberry Street Plaza is located between two condominium buildings containing commercial establishments on the first floor and residential on the upper floors. It is in the center of the business district. Both landscaping and benches for public use have been provided by Cape Charles Main Street. The plaza has been used for farm markets, music performances, gatherings, a home for Santa and Mrs. Claus during the holiday Festive Fridays events, and as an informal place to eat takeout food from nearby restaurants and bakeries. Central to Town plans is the viewshed to the Harbor from Strawberry Street beginning at Cape Charles Central Park through the Plaza and on to the town Harbor. Beyond the plaza is a train car, set on rails, located parallel to the back of 230 Mason Ave, which will be maintained on permanent static display. Work will soon begin on the exterior of the train car, including metal work, painting, and window replacement. A new public restroom and visitors center will be located just east of the train car.

Strawberry Street Plaza is currently underused. The Town, in cooperation with Main Street, should determine its best use for Cape Charles businesses, as well as citizens, by considering amenities like easily movable tables and chairs for eating food purchased at downtown restaurants, while allowing for conversion to an outdoor venue for performances and events.



Central Park fountain.

Cape Charles Harbor

Cape Charles Harbor is both a public and private deep-water harbor with a depth of 18 feet. It is dredged regularly by the Army Corps of Engineers, most recently in 2017. The Harbor is comprised of several zoning districts and the Historic Harbor Overlay District. The Towns' portion of the Harbor has recently been upgraded with the installation of concrete walks, lighting, and benches. It is a popular launching site for boaters living in and visiting Cape Charles and Northampton County.

There are two ramps for boats and one ADA compliant ramp for kayaks. There is currently no fee for the use of these ramps or for parking. Fuel can be purchased at the Harbor Masters building. The Harbor offers 96 slips for short- or long-term docking of which 46 are floating docks. Of the 96 slips, 31 are reserved for transient visitors.

The Harbor is also home to the United States Coast Guard Station Cape Charles.

The Town Council recently approved an extension of a contract for specified harbor repairs with the Virginia Department of Wildlife and Recreation.

Due to changing circumstances largely out of the Town's control, many previous efforts to plan for the harbor area, and the surrounding railroad area, have become obsolete. A new master planning effort, to include zoning, overlay areas, and associated design guidelines should be undertaken soon.



Boats in the Harbor.

Amenities

Streetscape

The Town of Cape Charles has one of the most unique collections of historic buildings of any town on the Virginia Eastern Shore. It also has an intact street grid as originally laid out in the early 1880’s with seven avenues laid east to west and six streets north to south. In 1912, the town added Harbor St. and Bay Ave. (Sea Cottage addition) resulting in seven streets and one avenue running south to north (increasing postal addresses) and seven avenues running west to east. At the center of the grid is Central Park. Streets are lined with mature trees and just about everyone has a front porch.

Cape Charles is often and affectionately referred to as Mayberry. It is walkable although walks are frequently slowed by greetings from friends. Golf carts are a favorite mode of travel and are often decorated for parades and holidays. Bicycling is popular and a great way to skirt the parking issue in the summer months. As a Virginia Main Street community, the Cape Charles Main Street (CCMS) organization implements a “Four Point Approach” with Design as one of its cornerstones. The Design team supports the community’s transformation by enhancing the physical and visual assets that set the commercial district apart. The placement of new benches, planters, and seasonal banners on the light poles creates a welcoming and visually pleasing atmosphere for residents and visitors alike.

CCMS maintains the The LOVE sign, an iconic landmark where residents and visitors alike take pictures. The LOVE sign meaning: L is filled with seashells/sea glass and represents the Bay; O is a tractor tire to represent agriculture; V is two kayaks and represents fun on the water; and E is crab pots to represent aquaculture. It is located next to the fishing pier and at one end of the public beach on Town property.

The commercial area on Mason Avenue has experienced revitalization and adaptive reuse, as shops, restaurants and hotels are being built to serve the increasing number of tourists who visit Cape Charles and the Eastern Shore.



The Mason Ave. streetscape.



The famous LOVE sign.

Sunsets

The sunsets are free and Cape Charles is known for its fabulous sunsets. The Town is geographically located on the shoals of the Chesapeake Bay, which allows for wide views of the setting sun and reflections on the water. In all seasons both citizens and visitors gather on the beaches, on the fishing pier, or at other waterfront venues to view the sunsets.

Cape Charles Beach

In addition to dining and shopping, our beaches are the draw for visitors. They are also some of the top reasons our citizens live here. Cape Charles is the only town on the lower Eastern Shore with a public beach front. Cape Charles also boasts two private beaches located within the Bay Creek communities. The shallow water of the Chesapeake Bay is perfect for families with young children and is also popular for day long floating in large rafts or “raft colonies”. Paddleboarding has become popular, and kayaking is still a general favorite. Both can be done from the beach shoreline. The summer season is busy and sometimes hectic but from late Fall into early Spring the beaches are there for often solitary enjoyment.

The Cape Charles Boardwalk

The Boardwalk is a wide concrete sidewalk paralleling Bay Avenue and the dunes along the Chesapeake Bay. The concrete boardwalk is intersected by wooden boardwalks providing access to the beach. Concrete benches and planters, trash receptacles, doggie waste bag dispensers, and information display boards are spaced along the Boardwalk at regular intervals. It is also a portion of the Community Trail and as such is a popular location for walkers, runners, sunset viewers, and even skateboarders in the evening. The Boardwalk has provided an excellent location for information boards about community events. The gazebo located at the end of Randolph Avenue is a respite from the hot afternoon sun.

The Cape Charles Fishing Pier

The Cape Charles Fishing Pier is a popular place for fishing, walking, and sunset watching. It is located at the intersection of Bay Avenue and Mason Avenue. The Town provides a blanket state fishing license for all who wish to fish from the pier. A master planning effort is needed for the public beach, boardwalk, fishing pier, and surrounding areas. This plan should identify a larger vision for the beach front, to include investments in new amenities, and guidance for maintenance.



The sunset over the bay.



Cape Charles beach gazebo.



Cape Charles Fishing Pier.

Private Amenities

Bay Creek

Bay Creek, a planned resort community, came under new management in 2020. Amenities at the gated community are available only to the residents and guests of Bay Creek. The Golf Course has been reduced to 27 holes in order provide for new and expanding walking trails, a boat house on Plantation Creek, and a variety of housing options. The Lifestyle Center features exercise equipment, various classes, a family swimming pool, and sponsored events for adults and children. Bay Creek has two sandy beaches on the Chesapeake Bay and a restaurant, The Coach House Tavern, at the golf course. The resort rental homes available at Bay Creek accommodate thousands of visitors each year.

Kings Creek Marina

The Kings Creek Marina at the north end of Town serves residents and tourists with a world class marina and harbor for recreational boaters. Overnight accommodations, the Oyster Farm Restaurant, and the Pearl Event Center which hosts weddings and receptions, large parties, business gatherings, and community events are located adjacent to the marina.

Cape Charles Yacht Center, 1011 Bayshore Road

The boatyard operations at the Cape Charles Yacht Center, a commercial enterprise, are in transition. A new property owner is currently seeking contract management and determining how to best capitalize on the existing infrastructure, consisting of a 75-ton boat lift with a 25’8” beam, power from 30-amp single phase to 100-amp 3 phase, 1,000 feet of face dockage and seasonal slips for local boaters.



Bay Creek Golf Course.



King’s Creek Marina.

Broadband

The Eastern Shore of Virginia Broadband Authority (ESVBA) was created in 2008 by the counties of Accomack and Northampton with the intent that ESVBA would build the backbone of the system from the Maryland state line along the length of the Eastern Shore under Route 13. Private wireless providers would then carry the service to every customer. Approximately 1300 miles of fiber are needed to provide 100% Broadband coverage on the shore. ESVBA currently has 600 miles built out. Private companies are not going to go into areas that are not profitable and rural areas do not create the necessary profit. Thus, the majority of the 600-700 remaining miles will need to be built by ESVBA. In 2016 ESVBA began their fiber-to-the-home program to complete the build out. It has taken 13 years to get to 50%. Cape Charles was able to secure grant funding that connects the town to that fiber optic backbone. However, “getting it the last mile” or in other words connecting it to individual homes and businesses is the responsibility of those individuals. There are 27 free public Wi-Fi hotspots on the Eastern Shore. Cape Charles has one hotspot located at the Cape Charles Museum at 814 Randolph Avenue.

Educational Facilities

Cape Charles Christian School, 237 Tazewell Avenue

Cape Charles Christian School is a private school whose vision is to create an alternative education option for Northampton County. Their goal is to provide an encouraging, supportive, creative environment for children with an integrated Christian perspective. The mission of Cape Charles Christian School is to educate and develop the whole child in a non-denominational Christian setting. The school employs 5 teachers with a Student: Teacher Ratio of 13:1 and instruction from Pre-K through 8th grade.

Educational Facilities Outside Town

Cape Charles does not have any public schools within its boundaries. Nearby public schools serving the town are Kiptopeke Elementary, Northampton Middle School and Northampton High School. Private schools include Broadwater Academy, a private Pre-K through 12 school in Exmore, and Shore Christian Academy, also private serving Pre-K-3 through 8, The Eastern Shore Community College is nearby in Accomack County.

Home Schooling

One result from the Covid pandemic was the growth in home schooling in both the town and the county. Statistics are not available for Cape Charles itself, but Northampton County had 95 children being home schooled in 2021. For curriculum, parents have access to many written and online resources. In addition, most home schoolers are allied with a national or state group for support and teaching resources. Homeschoolers interact with each other through specialized classes and on field trips.

Rosenwald School Restoration Initiative

Cape Charles is home to one of 5,000 schools built in the rural South with seed money from the Julius Rosenwald and guidance from Booker T. Washington. Funds for the restoration and re-opening of the building are being collected, while the organization records and shares stories of the alumni and history of the school.

Public Services and Programs

Cape Charles Police Department

The Town of Cape Charles maintains a police force of 7 sworn officers. Cape Charles police are dispatched through Northampton County. The responsibilities of the Cape Charles Police Department include a wide range of activities such as investigating citizen complaints, initiating criminal and traffic arrests, responding to accidents, and performing crime prevention and wellness checks. The department also responds to calls from the Virginia State Police and other nearby localities.

Cape Charles Volunteer Fire Company

The fire company is not directly associated with the Town government and is housed in a facility next to the existing Town Hall, staffed by volunteers. When needed the fire departments of the county and surrounding jurisdictions also respond to fire emergencies in Cape Charles. The volunteers are active in the community often sponsoring events to raise funds to continue their operations. As with most organizations volunteers are difficult to come by.

United States Post Office, 299 Randolph Avenue

The town of Cape Charles and the surrounding area is served by the United States Post Office. The Post Office is a historical landmark in the town. It was built to be a post office in 1932 and is still in its original condition both on the exterior and interior. Passports may be applied for. The Towns single zip code is 23310.



United States Post Office.

Recreational, Cultural, and Youth Activities

Cape Charles Community Trail

The Cape Charles Community Trail is a path that will eventually cover the outer perimeter of the town and connect to Central Park along Peach Street. The Community Trail has been principally funded under the Virginia Department of Transportation (VDOT) Transportation Alternatives Program (TAP) which administers federal money. TAP pays 80% and the town pays 20%. A portion of the trail around the harbor was implemented as part of the harbor redevelopment project and about 50% was funded via Virginia Aid to Local Ports and federal Boating Infrastructure grants. The community trail project is being implemented in multiple phases. Phase 1 consists of the walkway and other extensive work in Central Park. This was completed in 2010. Phase 2 encompasses north Peach Street and Washington Avenue. In addition to the trail itself, the project included extensive storm water system improvements and a landscaped median on Peach Street. This was completed in 2017. Phase 3 is south Peach Street (between Mason and Randolph Avenues) and the south entrance to the park. The TAP grant is in place, and this phase is approved in the Town’s FY 2022 budget and is set to bid in late 2022. Phase 4 consists of improvements to the boardwalk along Bay Avenue: repairs, new steps & handrails, better ADA access to boardwalk and beach, removal of highway style lights, and decorative pedestrian lighting. The TAP grant was approved several years ago, but the project was delayed because of delays in Phases 2 and 3. Recently the Town Council voted not to move forward with the TAP funding of this project due to pressure from VDOT for the Town to immediately commit to the 20% local funding match. Phase 4 of this project will now be incorporated into the upcoming beach front master planning effort.

Cape Charles Natural Area Preserve

The 29-acre Cape Charles Natural Area Preserve is owned by the Virginia Department of Conservation and Recreation. It features a long boardwalk that traverses several natural landscapes and ends at a low bluff overlooking the Chesapeake Bay. An additional 20.76 acres were added in 2021 with the purchase of parcel 90-13-A. The Preserve is also part of the Lower Delmarva Important Bird Area and as such over 240 species of birds have been observed within its boundaries.

Eastern Shore Rail to Trail

The Virginia Department of Transportation (VDOT) initiated the Eastern Shore Rail to Trail Study to assess the feasibility of converting the former Bay Coast Railroad into a shared use path. The abandoned railroad corridor spans Northampton County and Accomack County and travels through the Towns of Hallwood, Bloxom, Parksley, Onley, Melfa, Keller, and Painter in Accomack County and the Towns of Exmore, Nassawadox, Eastville, Cheriton, and Cape Charles in Northampton County. The trail would extend 50 miles between the Towns of Cape Charles and Hallwood. This project was approved and received initial funding in 2022. The first leg of the trail will be built from Cape Charles (near Rayfield’s Pharmacy) to Food Lion on Route 13. The Town Council has accepted responsibility for maintaining this portion of the trail once built.



Cape Charles Community Trail.



Central Park Gazebo.

Cape Charles Medical Services

Eastern Shore Rural Health Center, Eastville

The Eastern Shore Rural Health System, Inc opened the new Eastville Community Health Center on May 4, 2020 as a replacement for the aging Bayview and Franktown Community Health Centers. The Calvin L. Brickhouse Building in Eastville is a 24,000+ square foot state-of-the-art medical and dental facility. It offers medical and dental digital x-ray, expanded lab services and hours, behavioral health services staffed with two part-time and one full-time physician, recently expanded telemedicine, outreach including to the Hispanic community in the summer months (in cooperation with local growers), health education, interpretation services, an onsite pharmacy, and the room to expand staff based on need and funding. Currently the center provides two and a half pediatricians, and they are the only staff with privileges at the Riverside Hospital in Onley. They have also partnered with Riverside Hospital to share electronic medical records. Hours are limited to weekdays. Emergency care is not offered and there are no plans to do so in the future. Services are available to all including those with limited resources. Free passes are available on Star Transit, or the Community Services Board can provide transportation for a small fee. ESRHS is a Health Center Program grantee under 42 U.S.C. 254B, and a deemed Public Health employee under 42 U.S.C. 233(g)-(n). They are recognized as a Patient Centered Medical Home TM by the National Committee for Quality Assurance. NCQA is a private, non-profit organization dedicated to improving health care quality. It is located 9 miles from Town.

Riverside Shore Memorial Hospital

As one of Riverside Health System’s multiple locations for inpatient and outpatient care, diagnostics, rehabilitation and wellness services, Riverside Shore Memorial Hospital provides care for medical and surgical patient emergency department and critical care patients, newborns, and patients seeking diagnostic testing. The hospital is in Onley which is the same distance from Cape Charles as hospitals in the Norfolk/Virginia Beach area. The campus includes Riverside Shore Cancer Center, Riverside Medical Office Building, and a helipad. Riverside Shore Memorial Hospital totals 139,100 square feet spread over 2 floors. It offers 52 private inpatient rooms of which 10 are critical care and 6 are Mother/Baby. The Emergency Department offers 2 private triage rooms plus 13 private treatment rooms including a trauma room. Hospital Accreditations include: DNV, The American College of Radiology, The American College of Surgeons, The College of American Pathologists, The Intersocietal Commission for the Accreditation of Vascular Laboratories, and the American Board of Registration of Electroencephalographic and Evoked Technologies. It is located 36 miles from Town.

Riverside Shore Cancer Center (RSCC)

Sleep Lab services and infusion services are offered at the Riverside Shore Cancer Center along with traditional chemotherapy and radiation therapy (including intensity-modulated radiation therapy) services. The chemotherapy suite includes 8 treatment chairs and 2 private rooms for patients who need privacy. It is located 36 miles from Town.

Riverside Medical Office Building

The Medical Office Building includes gastroenterology, gynecology, neurology, obstetrics, orthopedics, podiatry, pulmonology, and surgery. Outpatient Physical Therapy shares the office building. It is located 36 miles from Town.

Cape Charles Rescue Services

This service is part of the Northampton Emergency Medical Services network and is located just outside of Cape Charles 3 miles away on South Bayside Rd. This building provides access to quick response ambulances and emergency medical services.

Riverside Cape Charles Medical Center

Riverside Health System provides comprehensive primary medical care within the Town’s borders and is located at 216 Mason Ave.

Nightingale Regional Air Ambulance

Nightingale Regional Air Ambulance provides rapid transport of the critically ill or injured, transporting patients from the scene of an accident, or from one medical facility to another. Nightingale operates as a community asset to EMS and multiple hospital systems and is called into service when time is critical to the patient’s survival and air transportation is the best method. She is often able to reach areas with limited access or assist communities where long transports would tie up limited EMS resources. Nightingale is a service of Sentara and has flown more than 18,000 accident-free missions since her maiden flight in 1982. The nation’s 38th air medical program and the region’s first air ambulance, Nightingale has transported thousands of critically ill patients to the helping hands of trained medical professionals all over Virginia. Nightingale flies a 125-mile radius handling trauma, cardiac, neurological, medical, pediatric, and obstetric patients. From Washington, D.C. to Ocracoke Island, the Eastern Shore to Charlottesville, Nightingale flies more than 700 missions per year. The current helicopter is an IFR-capable 2011 Airbus EC145.

Northampton County Department of EMS (Emergency Medical Services)

The Mission of the Department of Emergency Medical Services is to provide basic and advanced life support providers able to respond quickly, minimizing pain, suffering and loss when emergencies occur, by delivering the highest quality care to citizens and visitors in Northampton County. It coordinates efforts to ensure the County can mitigate, prepare for, respond to and recover from any type of natural or man-caused disaster. Northampton County uses an all-hazards approach to emergency preparedness, which means planning efforts consider all types of natural and man-caused disasters that could occur in the County.

Active and Engaged Partnerships

Arts Enter Cape Charles & Experimental Film Virginia

Arts Enter Cape Charles & Experimental Film Virginia in the Historic Palace Theatre 501 (c) (3) Arts Enter Cape Charles and non-profit Experimental Film Virginia are at home in the vintage 1942 art deco Historic Palace Theatre and the Lemon Tree Gallery. At the core of the missions of both organizations is to provide performance training and high-quality entertainment for children, adults, and the entire community as well as educational opportunities in music, art, drama, live theatre and film. Arts Enter and Experimental Film Virginia are supported by private donations and grantors including, but not limited to, the National Endowment for the Arts (Our Town grant), the Eastern Shore Community Foundation, The Virginia Commission for the Arts, the Virginia Tourism Commission, Northampton County, and the Virginia Film Office. The Town of Cape Charles has been an active partner since Arts Enter was founded in 1997. Small Town Big Art.

Cape Charles Citizens for Central Park

Cape Charles Citizens for Central Park (CCP) is a non-profit organization founded in 2001 that is devoted to the vision, beautification, and utilization of Cape Charles Central Park. It was the drive and passion of CCP over the past two decades that has developed the Park into the treasured jewel it is today. During the summer in partnership with the Town they sponsor free concerts in the park on Saturday nights. These are always well attended, and prior to COVID, CCP did a bustling business with their Margaritas fundraiser during these concerts. Funds are used for benches, landscaping, playground equipment, maintenance, and a new family game area currently under construction.

Cape Charles Food Pantry

The Cape Charles Food Pantry is operated by Trinity United Methodist Church. It is the local distribution center serving the needy in the Town. It is the authorized extension of the FDA Food Bank and gets some of its items from them along with local donations of cash and food. They are the recipients of numerous fundraisers and food drives in town.

Cape Charles Lions Club 9269:

Cape Charles Lions Club 9269 is an apolitical service organization to help individuals with sight and hearing problems. Through its local fundraising efforts (food truck at local events, broom sales), the local club hosts vision and hearing drives at the local elementary schools, Head Start, and the migrant clubs throughout Northampton County.

Cape Charles Main Street, Inc.

Cape Charles Main Street, Inc Cape Charles Main Street, Inc. (CCMS) is part of the Virginia Main Street Program which is a preservation-based economic and community development program that follows the National Main Street Center’s Main Street Approach™. They are incorporated as Cape Charles Main Street, Inc. and obtained § 501(c)(3) status. CCMS has more than 100 volunteers and operates under the belief that businesses are the lifeblood of the town.

CCMS is partially funded by the Town of Cape Charles and is responsible for managing the marketing for the town. They developed the branding for the town as Cape Charles Virginia’s Cape, built the town a new marketing website and manage all marketing social media and advertising.

They have provided benches on the streets of the business district and landscaped and furnished Strawberry Street Plaza in the center of town. CCMS has sponsored many events designed to bring people into town, including the very popular Love Fest which began as a celebration of 50 years of the Virginia is for Lover’s campaign and is held every year on the Saturday of Labor Day weekend. Festive Fridays are held on the Friday evenings between Thanksgiving and Christmas in the downtown shopping area to promote local shopping for holiday gifts. Shops stay open late and offer specials, windows are decorated, restaurants offer specialties, Santa and Mrs. Claus are available for photos. CCMS annually pursues many grant opportunities to assist local businesses and to improve the Town business district.

Cape Charles Yacht Club

The Cape Charles Yacht Club (CCYC) was founded in the fall of 2012 among a few sailing and boating enthusiasts who reside in the Cape Charles area. The founding members felt that any active harbor needed the presence of a yacht club as one of many anchors to build comradeship among fellow mariners and those that would venture into the harbor and marina. The CCYC hosts a Coast Guard Appreciation Night, has donated funds to the Cape Charles Food Pantry and to the Northampton County Education Foundations Pre-K Camp programs, performs road cleanup, and built the Kayak Floating Dock in the harbor.

Eastern Shore of Virginia Master Gardeners

The Eastern Shore of Virginia Master Gardeners (ESVMG) is sponsored by the Virginia Cooperative Association. Volunteers receive 50 hours of intensive training in all areas of Eastern Shore horticulture. In Cape Charles master gardeners support the New Roots Youth Garden through weekly maintenance and by teaching the children who attend the weekly meetings in the garden where food comes from, how to plant seeds, how to tend the garden, and how harvest the food. They also help the children with their small market stand where they sell this food and learn customer service skills, weighing, and making change.

Eastern Shore of Virginia Master Naturalists

Master Naturalists are trained volunteers who provide education, outreach, and service. They are trained in the ecology of an area – plants, animals, geographic features, and local ecosystems to help Virginia in the conservation and management of natural resources and public lands. In Cape Charles and its surrounds, Master Naturalists monitor the Cape Charles Natural Area Preserve, the Magothy Bay Natural Area Preserve, and the Savage Neck Natural Area Preserve. In 2017, a team of eight Master Naturalists did a complete census of the trees by lot number in the historic district of Cape Charles at the request of the Historic District Review Board recording the species, height, and diameter of all trees.

Eastern Shore Tourism Commission

The Eastern Shore Tourism Commission provides a function larger than the Town is able to provide and a majority of its funding is from Accomack and Northampton Counties. Its function is to market the Eastern Shore on a larger geographic scale than the Town would be able to do on its own. The Tourism group has developed an Eastern Shore Brand and the Town is part of that project.

Friends of the Cape Charles Memorial Library

The Friends of the Cape Charles Memorial Library is an all-volunteer organization responsible for promoting the library, sponsoring cultural programs for the community, and providing funds to enhance the library collection and visitor experience. They have supplied the library with additional furniture and support for children’s programming.

New Roots Youth Garden

New Roots Youth Garden (NRYG) is owned and maintained by the Town but managed by the Executive Board of NRYG whose mission is to teach children where food comes from, how to plant seeds, how to tend the garden, and how to harvest the food. The children also have a small market stand where they sell this food and learn customer service skills, weighing, and making change. In addition, every week they take the food they’ve grown home to their families. Since a wide variety of vegetables are grown in the garden the children often find themselves eating a food they’ve never tasted before. Recently New Roots has been welcoming field trips to the gardens from several local schools. The NRYG holds fundraisers, but also receives grants, The Rotary Club provides funds and physical labor improving the property. The Eastern Shore of Virginia Master Gardeners provide a large part of the maintenance of the garden itself, and United Way is also a source of income. Many donations are received from citizens and businesses in Cape Charles as it is a very popular program.

Northampton County American Legion Post 56:

The Northampton County American Legion Post 56 is a patriotic veterans organization devoted to mutual helpfulness to serve those who served during a time of war; Post 56 is one of the oldest American Legion Posts in the nation with a founding year of 1919 and charter date established in 1922.

The Civic League

The Civic League provides neighbors in the Historic District a collective voice in town government by identifying opportunities for improvement and building consensus around proposed solutions. The Civic League provides Town Council and Town Management a point of contact within the Historic District to work on issues and projects. Finally, the Civic League keeps neighbors in the Historic District informed about developments and decisions affecting them.

The Museum and Welcome Center

The Museum and Welcome Center for the town is housed in a 1913 building that served as an electric power generating station for 40 years. It is owned and operated by the Cape Charles Historical Society; a non-profit organization founded in 1986. The Museum and Welcome Center opened in 1996 and is open 7 days a week from mid-April through October. In 2019 (pre COVID-19), it served approximately 4,200 visitors. 65% of those visitors were from Virginia, with a consistent 14% from Hampton Roads, nearly 42% from other mainland Virginia locations, and the rest from the Eastern Shore. Exhibits center on the heydays of the town from the 1880’s through the mid-20th century when steamers, ferries, and the railroad operated continuously. A new exhibit is presented each season created from the Society’s archives which are cataloged and stored in the adjoining reconstructed Bloxom Station. A virtual outdoor tour takes visitors on a walk around the museum from their phone or computer and includes video and audio on the history of the museum.

The Rotary Club

The Rotary Club is an apolitical group with a world view. Their motto is Service Above Self. As a service group they invest both financial and labor into their projects. Projects in Cape Charles include the purchase and installation of a new fence, market stand, and concrete apron to New Roots Youth Garden, financial assistance for the new playground equipment at Central Park, quarterly trash pickup on Stone Road, and co-sponsor (with Main Street) the political forum featuring candidates for Town Council. The Club is also very active in support of many other important organizations and activities through Northampton County.

Tree Advisory Board

The Tree Advisory Board is an informal group of volunteers whose goal is to preserve and increase the tree canopy of Cape Charles. To that end they seek to advise both citizens, town staff, and town governmental bodies on proper tree choice, tree removal, new tree location, and proper landscaping with trees. They also help to assure the maintenance and expansion of the city’s tree canopy and the health and safe condition of trees in the community. TAB also plans and conducts an annual celebration in support of Arbor Day. In both 2021 and 2022, Cape Charles was designated a Tree City USA as sponsored by the Arbor Day Foundation.

Vacation Homeowners

The Vacation Homeowners of Cape Charles was established in 2019 to contribute to the experiences of residents and visitors to Cape Charles. The VHOCC has sponsored numerous concerts, Festive Friday events, First Day in the Bay, movies at the Palace Theater and the Cookie Trail of historic homes. The group provides a community of support to vacation homeowners. In order to best serve the community, our members pledge to adhere to our “Good Neighbor Policy”.

Community Facilities & Services Objectives and Strategies

- 1. Pursue adequate lighting and other amenities (seating, trash receptacles, water fountains, signage, etc.) for Town designated facilities.
- 2. Plan for the creation of modernized, accessible, and welcoming municipal facilities.
- 3. Plan for the creation of amenities, such as a multi-use recreation field or other play areas.
- 4. Ensure efficient, cost-effective management, maintenance, and operation of water and sewer utilities, in conformance with all regulatory requirements.
- 5. Establish a policy for paying for capital facility expansion needs over time.
- 6. Develop proffer policies so that future development helps pay for the additional impacts and public facility costs that it generates.
- 7. Pursue funding opportunities for art, public events, markets, et cetera.



Shops along Mason Ave.

Land Use & Community Design

- Land Use and Community Design Framework
- Existing Land Use Map
- Land Use and Design Policies
- Open Space Policies

Land Use & Community Design

Land Use and Community Design Framework

From 2019 to 2021, the Town of Cape Charles held a series of workshops and meetings to begin updating the Town’s Comprehensive Plan. In March 2021, Town Council approved a new Community Strategic Plan that would set the vision, goals, and objectives for Cape Charles. Throughout the meetings and discussions, several common threads or themes emerged. These themes form the cornerstone of the planning process and the source of the fundamental policy direction promoted in the Plan. Many of these themes are directly concerned with basic land use and Town design issues, such as preserving historic character, maintaining the integrity of views and entrance corridors, and ensuring compatible economic development in the future. Others are less tangible but equally important and relevant to planning, such as the preservation of open space, the maintenance and improvement of public infrastructure, and maintenance of an effective transportation network. The following policy recommendations are intended to establish a positive vision for future development, conservation and a sense of community in Cape Charles. They are intended to help implement the townspeople’s desires, as expressed in the public meetings and work sessions, to protect the Town’s unique and historic small town character through land use and design policies that keep the best of the old and incorporate innovative new development that will keep the town vibrant long into the future.

Historic District
Existing
Land Use



Existing Land Use



LAND USE AND DESIGN POLICIES

1. Preserve and enhance the integrity of the Historic District.

The general layout of the Town, in terms of scale, grid network, the central park, and streetscape amenities (such as sidewalks, alleys, planted medians and street edges, and large canopy trees) greatly contribute to the character of the Historic District. The integrity of this district should be preserved and enhanced through streetscape improvements along Mason Avenue, median restoration and landscaping, and sidewalk improvements. In addition, the Town’s central park should be maintained as an urban/civic amenity that provides a multipurpose space for town events and individual recreation.

2. Promote compatible infill development and renovation within established neighborhoods.

Infill development or renovation within established neighborhoods should be compatible with adjacent structures and the neighborhood as a whole. Accessory dwelling units add diversity to housing types, while maintaining the character and providing affordable options. New development in undeveloped areas should match the prevailing style and character of traditional buildings in Cape Charles. The scale, massing, and materials of new buildings should be traditional and compatible with the Town’s historic architectural fabric.

3. Create new centers of activity to address the commercial, civic and recreational needs of residents and visitors.

New centers of activity should be created to serve the commercial, recreational and civic needs of both residents and visitors. Potential new activity centers include new commercial nodes in Bay Creek, the Harbor area, the area around the Cape Charles Elementary School (also referred to as the Cape Charles Rosenwald School), and the plaza on Strawberry Street. These areas have the potential to become vibrant pedestrian, mixed-use centers that provide a range of recreational, commercial and civic uses to the Town. It is also important to ensure future vehicular and pedestrian connections between these centers. The form and design character of these activity centers should be based on the scale and character of existing centers (i.e. Mason Avenue District).

Cape Charles’ Historic District Review Board (HDRB) is responsible for the creation and enforcement of Historic District Guidelines. These Land Use and Design Policies are based on those Guidelines.

OPEN SPACE POLICIES

Open spaces and scenic views, both in and around the Town enhance the quality of life for all townspeople and visitors in Cape Charles. The Town should take steps to preserve its valued natural assets and environmental resources, such as woodlands, shorelines, tributary creeks, and marsh grasses. In addition, protection and enhancement of both scenic and recreational open space should be of primary importance in planning for the future of the Town. Specific natural resource policies are addressed in other portions of the Comprehensive Plan. The policies below are intended to address those aspects of the natural and open space features that are part of the overall land use and Town design framework.

1. Preserve the integrity and accessibility of the water’s edge.

Public waterfront access should be an important amenity and identifying feature for the Town. Waterfront areas include the Harbor, the Cape Charles beach, the municipal pier and the Cape Charles Natural Area Preserve. King’s Creek Marina and areas in Bay Creek also provide waterfront access. Preserving the integrity and accessibility of the water’s edge is critical to maintaining the quality of life within the Town. This should be accomplished through measures that integrate the Harbor walkway with the historic core and control shoreline erosion, as well as by enhancing the municipal pier and beach as an amenity for residents and visitors.

2. Protect the viewsheds along Town entrance corridors.

Views along entrance roadways have a significant impact on how the community is perceived. Attractive entryways help entice tourists into the community and leave a positive impression to encourage future visits. Route 184 and Route 642, which serve as the entry roads into Cape Charles, have a rural identity characterized by open farm fields and relatively narrow road widths. The Town should continue to protect the scenic viewsheds along the Route 184 and Route 642 corridors through land use regulations, setback requirements, design standards and landscaping requirements. Because a significant portion of the corridors is governed by County regulations, the Town should work cooperatively with the County to plan for the future character of the corridors. The Town should pursue

the ability to jointly review proposals for properties within the County that influence the Town’s entry corridors.

3. Strengthen and enhance the Town’s green infrastructure.

The Town contains a number of passive and active recreational facilities that serve as an attraction for residents and visitors alike, as well as important environmental functions. The town should strengthen the existing “Green” focal points, such as the Town Central Park, and Cape Charles Natural Area Preserve. New focal points within the Harbor area should be created with greenway connections between these focal points that incorporate environmental features such as wetlands and drainage ways, and urban streetscapes with landscaping and street trees. Connections can either be built in as part of specific revitalization programs or as part of the approval of new development proposals in critical areas.

4. Protect the Town’s scenic, recreational, and open space resources.

The Town’s location along the Chesapeake Bay and its abundant natural resources are a critical part of the Town’s identity and way of life. The Town should protect its scenic, recreational and open space resources by using environmentally sensitive design techniques in new development, preserving existing features during the site plan review process, incorporating low impact development techniques, and restoring and re-vegetating natural areas. In addition, the Town should continue to support efforts to restore and enhance critical habitat and promote the use of native plants in the Town.

5. Encourage support for landscape enhancements in and around Town.

The Town should enhance its current infrastructure of landscaping and green amenities, by promoting a Town-wide street tree program, buffer standards, and specific landscape enhancements.



Shops along Mason Ave.

Future Land Use

- Future Land Use Map Description
- Future Land Use Map
- Future Land Use Designations

Future Land Use

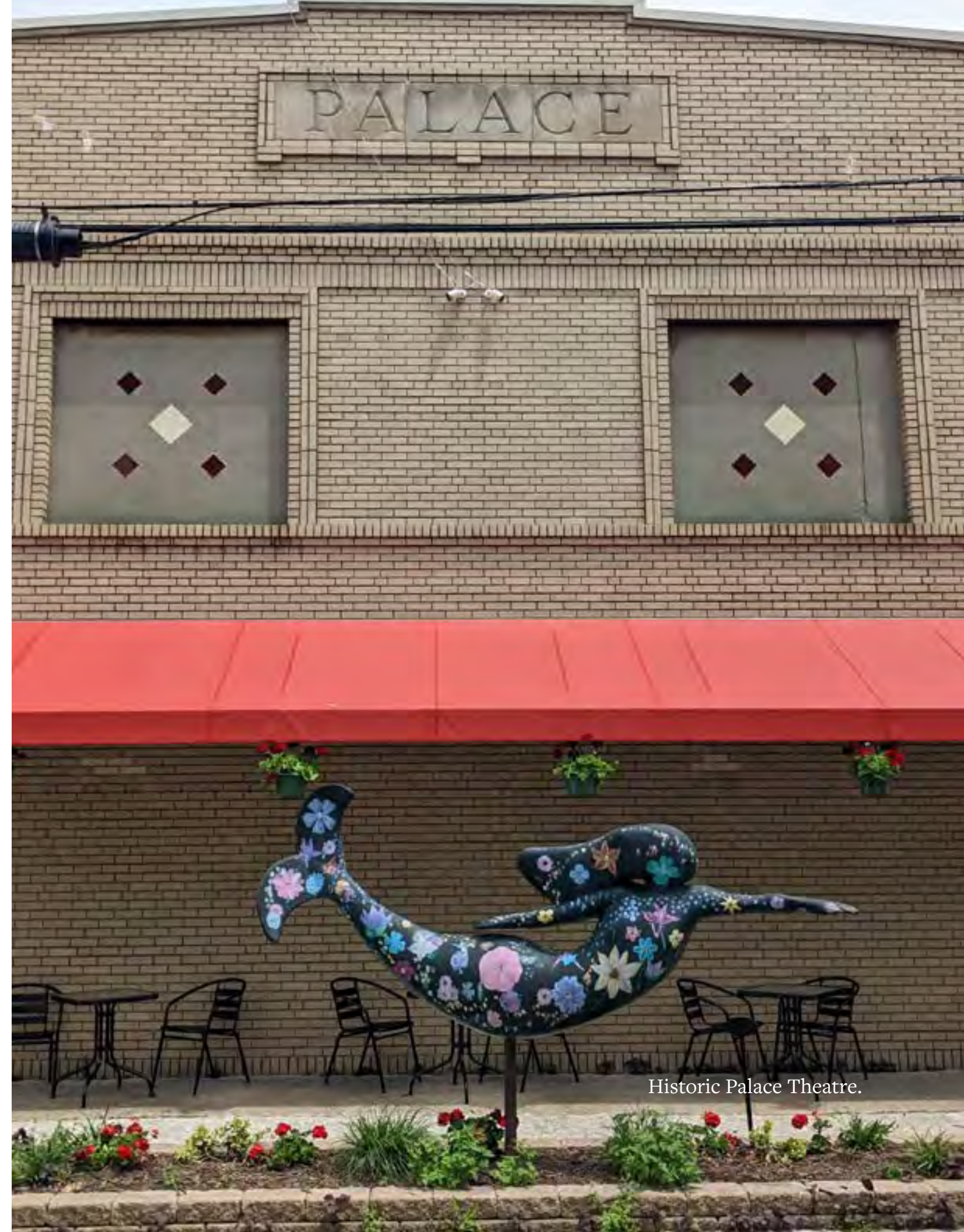
Future Land Use Map Description

This vision for the Future Land Use Plan was developed by the citizens and stakeholders of the Town during public Town Meetings with the Town Council and the Planning Commission. Surveys were also conducted by both the Town and Cape Charles Main Street. The recommendations of the townspeople were incorporated in both the overall policies and in the Future Land Use Plan of the Comprehensive Plan. Specifically, the first meetings focused on identifying a vision for the values we hold and the quality and character of development. Ideas about levels of growth and intensity of development were affirmed at the second public workshop where participants were asked to identify a preferred development concept. Workshop participants overwhelmingly preferred a “low growth” concept, featuring activity centers at Marina Village, Bayside Village, Mason Avenue, and the Harbor.

The Future Land Use Plan is intended to generally maintain and enhance the traditional settlement patterns of Cape Charles. Overall, the guiding principle is to mirror and extend the existing historic pattern of development in the Town as it grows and adapts to new land uses and building types over time. The Future Land Use Plan continues to allow for new and infill development in the existing developed and undeveloped portions of Town. At the same time, the Plan reinforces the current form of the Town and recommends that new development should be an extension of the traditional patterns of growth in Cape Charles.

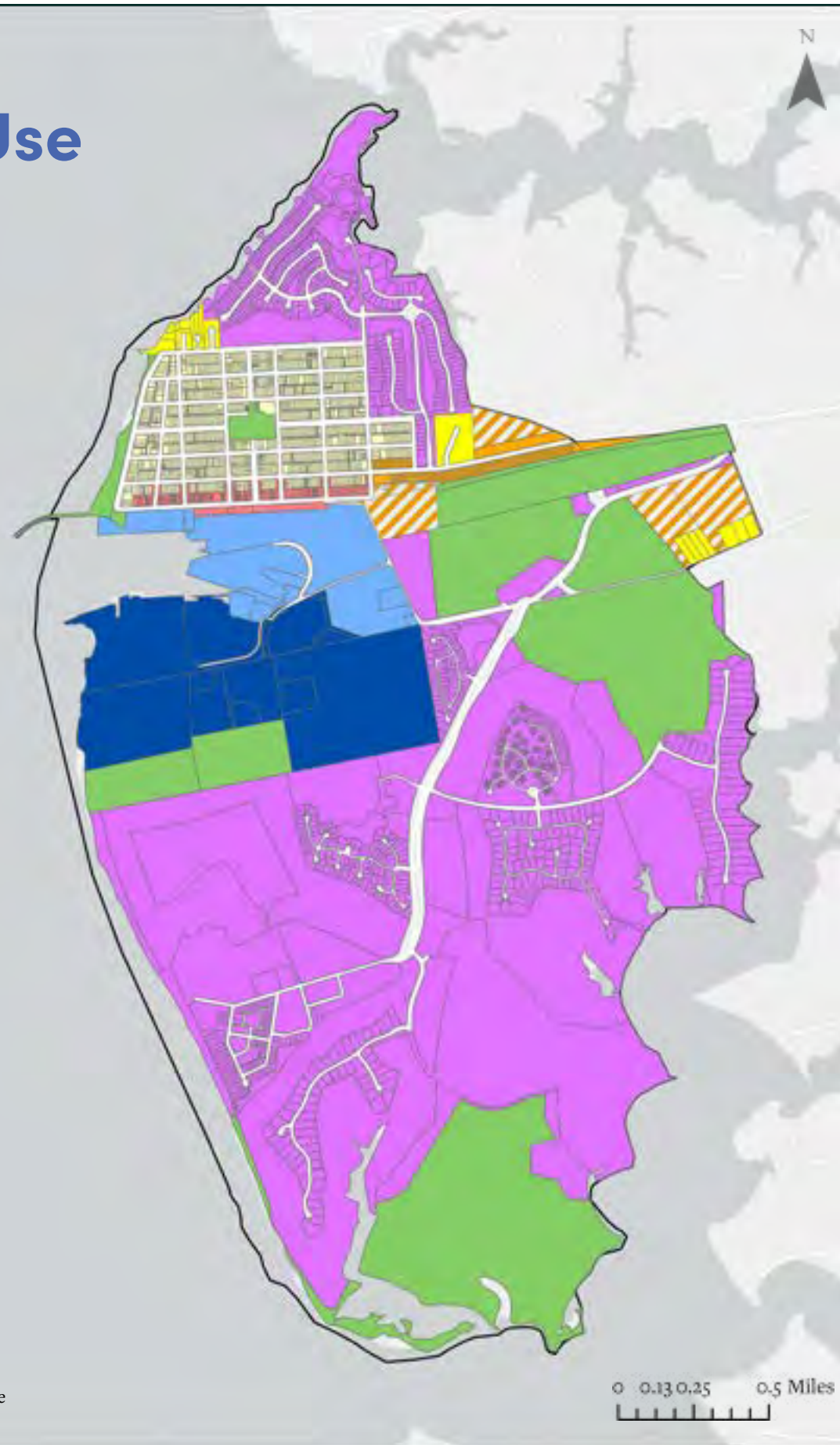
The accompanying map (Future Land Use Map) represents potential land uses, development character and densities as part of the Comprehensive Plan. This Future Land Use map depicts land use designations and districts that are designed to support the overall policies and neighborhood design principles desired by the Town. It is important to note that this map only addresses broad density and land use objectives, not detailed standards. The map is not a standalone document and is to be used in conjunction with the future land use policy language.

In most cases, proposed densities and intensities are expressed in terms of ranges that are appropriate for the types of uses proposed. These ranges are intended to provide flexibility in the application of these policies to individual properties on a case-by-case basis, as the unique characteristics of a parcel are evaluated during the review of a specific development proposal. The following Future Land Use Plan policies propose land use designations and districts that are designed to support the overall policies and traditional neighborhood design principles desired by the Town.



Historic Palace Theatre.

Future Land Use



Future Land Use Designations



Conservation/Open Space: These areas are intended for the conservation of natural resources and protection of open space. These areas include parks, recreational areas, preserved land, and wetlands.



Entrance Corridor: The Entrance Corridor is intended for the development of a mix of commercial and residential uses with appealing visual aesthetics, quality architecture, and high quality landscaping that enhance the character and first impressions of the Town.



Historic District Mixed Use: The Historic District Mixed Use category covers part of the existing downtown historic area of Cape Charles along Mason Avenue. Development in this area is intended to reflect the diversity of historic architectural features present in the Town and incorporate the diversity of uses that bring Main Street to life.

This plan allows for more flexible use of historic properties across the district. Rehabilitation of existing historic buildings and infill development should comply with Historic District guidelines with particular attention to how the buildings address the streetscape.

Buildings should have minimal (if any) setbacks from the right-of-way and ground floor uses that engage pedestrians with visually appealing facades.



Mixed Use: The Mixed Use category covers limited parts of Cape Charles near the historic town center. Development in this area is intended to incorporate a diversity of uses.



Historic District Residential: The Historic District Residential category covers the majority of the original street grid in Cape Charles. Any new development in this area is intended to reflect the historic character of the core residential area and compliment features of existing structures.

This plan recognizes that some historic homes have been converted into lodging and other uses. As such, the plan intends flexibility in use while maintaining the character of the area and quality of life for residents.



Residential: The Residential category is intended for a variety of housing types to meet the needs of Cape Charles residents. Development in this area should include housing of various types, sizes, and prices to meet the needs of seasonal workers, families, etc.



Planned Unit Development: The Planned Unit Development surrounding the historic area of Cape Charles is intended to accomplish specific development goals, while being complementary to the Town's broader Vision and Objectives. The PUD includes areas designated for conservation to conserve ecological funtion, recreational amenities, and natural aesthetics



Harbor District: Further master planning will be conducted to create a strong vision for the Harbor District. The area is intended to develop in a way that mirrors the success of Mason Avenue and nearby historic residential blocks. The district could include a mix of uses on an extension of the highly walkable street grid. Specific Harbor District design guidelines should be developed with particular attention to how buildings address the streetscape and the harbor front to create a lively and attractive extension of historic Cape Charles.



Harbor District Industrial: This category is for existing and future commercial and industrial uses along the southern area of the harbor. Although these uses may be intense, the proximity to the deep water harbor is necessary for their function and for the economic diversity of the Town.

Conservation / Open Space

These areas are intended for the conservation of natural resources and protection of open space. These areas include parks, recreational areas, and preserve lands and wetlands.

a. Function

- 1. To provide open space and conservation areas to meet the physical and environmental needs of the Town.
- 2. To enhance the Town’s aesthetic appeal along transportation corridors.

b. Preferred Uses

- 1. Land Use in the Open Space designation should consist of critical natural resources, such as shorelines and wetlands, as well as agricultural/forestral resources.
- 2. Open Space areas should also include parks, private golf courses, and other recreational amenities, such as multi-use paths, promenades and plaza.

c. Design Character and Scale

- 1. Open space areas should retain existing vegetation, particularly trees, where feasible and reforestation and revegetation of open areas of the site with native plant materials.
- 2. Where feasible, currently damaged or degraded landscapes and wildlife habitats should be restored and enhanced creating new natural areas and wetlands on the site.
- 3. Site elements should be arranged to protect and enhance special land characteristics, natural features, rare or endangered species areas, archeological sites, and other unusual natural or man-made site characteristics.



Entrance Corridor

The Entrance Corridor is intended for the development of a mix of commercial and residential uses with appealing visual aesthetics, quality architecture, and high quality landscaping that enhance the character and first impressions of the Town.

a. Function

- 1. To provide a strong sense of a small town-historic character and to promote the continuing concentration of retail businesses and services in predominantly commercial areas.
- 2. To promote a diverse mix of compatible commercial, entertainment, governmental and residential uses.

b. Preferred Uses

- 1. Open space, to include public parks, and highly landscaped uses.
- 2. Land uses in this district should be small-scale mixed uses including shopfronts, workshops, small offices, housing, and specialty shops catering to local and regional customers, as well as tourists and visitors.

c. Design Character and Scale

- 1. Development should generally have a small town-historic character, such as that found along Mason Avenue, with a fine-grained land use pattern at a human scale.
- 2. Development should combine uses vertically, as well as horizontally (i.e. mixing uses among buildings and within individual buildings), to achieve convenience, and variety.
- 3. Design elements should be integrated with street trees, benches, and landscaping. Bicycle facilities and usable public spaces should be provided.
- 4. Vehicular and pedestrian links should extend into the surrounding development.
- 5. Land use or intensity/density transitions should be provided between nonresidential uses and existing residential areas.



Historic Downtown Mixed Use

The Historic Downtown Mixed Use category covers part of the existing downtown historic area of Cape Charles along Mason Avenue. Development in this area is intended to reflect the diversity of historic architectural features present in the Town and incorporate the diversity of uses that bring Main Street to life.

This plan allows for more flexible use of historic properties across the district. Rehabilitation of existing historic buildings and infill development should comply with Historic District guidelines with particular attention to how the buildings address the streetscape.

Buildings should have minimal (if any) setbacks from the public right-of-way and ground floor uses that engage pedestrians with visually appealing facades.

a. Function

1. To provide a strong sense of a downtown “main street” character and to promote the continuing concentration of retail businesses and services in predominantly commercial areas.
2. To promote a diverse mix of compatible commercial, entertainment, governmental and residential uses.
3. To continue the traditional character of a commercial and mixed-use main street.

b. Preferred Uses

1. Land uses in this district should be small-scale mixed uses including restaurants, shopfronts, workshops, small offices, housing, and specialty shops catering to local and regional customers, as well as tourists and visitors.
2. In general, residential uses should be located above the first floor, reserving first floor storefront space for activity-generating uses such as retail shops, restaurants or grocery stores.

c. Design Character and Scale

1. Development should generally have a small-town main street character with a fine-grained land use pattern at a human scale. Blocks should generally not be more than 600 foot long.
2. Development should combine uses vertically, as well as horizontally (i.e. mixing uses among buildings and within individual buildings), to achieve convenience, variety and walkability in the district.
3. Design elements should be integrated with wide sidewalks, street trees, benches, and entrances to buildings at the edges of street rights-of-way. Bicycle facilities, on-street parking, and usable public spaces should be provided.



4. Vehicular and pedestrian links should extend into the surrounding development.
5. Land use or intensity/density transitions should be provided between nonresidential uses and existing residential areas.
6. It is important to maintain and improve the aesthetics of the downtown area for continued economic revival, and to protect historic buildings from demolition or renovation which would damage their historical integrity.
7. Most of the site may be developed as building, parking or paved plaza and access areas. However, there should generally be 10-20% of the site in amenity open space, such as public plazas, landscaping or decoratively paved wide sidewalks or sitting areas.
8. Alleys, thoroughfares, and service ways should be utilized to ensure trash pickup and deliveries for commercial establishments are minimized along public right of ways.

d. Building Design

1. Architectural treatment and materials should be compatible with adjacent commercial and residential architecture.



Mixed Use

The Mixed Use category covers limited parts of Cape Charles near the historic town center. Development in this area is intended to incorporate a diversity of uses.

a. Function

- 1. To promote a diverse mix of compatible commercial, entertainment, governmental and residential uses.

b. Preferred Uses

- 1. Land uses in this district should be mixed, including public spaces, restaurants, shopfronts, workshops, small offices, housing, and specialty shops catering to local and regional customers, as well as tourists and visitors.
- 2. In general, residential uses should provide more flexible options consistent with activity-generating uses such as recreation activities, retail shops, restaurants, or grocery stores.

c. Design Character and Scale

- 1. Development should combine uses vertically, as well as horizontally (i.e. mixing uses among buildings and within individual buildings), to achieve convenience, variety and walkability.
- 2. Design elements should be integrated with street trees, benches, and open spaces. Bicycle facilities, on-street parking, and usable public spaces should be provided.
- 3. Vehicular and pedestrian links should extend into the surrounding development.
- 4. Land use or intensity/density transitions should be provided between nonresidential uses and existing residential areas.
- 5. Most of the site may be developed as building, parking or paved plaza and access areas. However, there should generally be 10-20% of the site in amenity open space, such as public plazas, landscaping or decoratively paved wide sidewalks or sitting areas.
- 6. Alleys, thoroughfares, and service ways should be utilized to ensure trash pickup and deliveries for commercial establishments are minimized along public right of ways.



- 1. Buildings should generally be located at the edge of the street right-of-way with minimal front setbacks. In scattered locations setbacks should be increased to allow for public outdoor seating for restaurants.
- 2. All facades of buildings should be designed with architectural detail consistent with that of the front elevation of the building.
- 3. Architectural treatment, materials, and colors should be compatible with adjacent commercial and residential architecture.
- 4. The scale, massing, colors and materials of new buildings should be traditional and compatible with the Town’s historic architectural fabric.



*Example of a Mixed Use building. Source: Congress for the New Urbanism

d. Building Design

Historic District Residential

The Historic Downtown Residential category covers the majority of the original street grid in Cape Charles. Any new development in this area is intended to reflect the historic character of the core residential area and compliment features of existing structures.

This plan recognizes that some historic homes have been converted into lodging and other uses. As such, the plan intends flexibility in use while maintaining the character of the area and quality of life for residents.

Note: Refer to the Historic District Guidelines for more detailed guidelines for development in this district.

a. Function

- 1. To meet the housing needs for the citizens of Cape Charles, while maintaining the single-family residential character of the Historic District.
- 2. To allow for the diverse mix of compatible, recreational, governmental and residential uses that currently exist in the Historic District.

b. Preferred Uses

- 1. Land uses in this designation should consist primarily of single-family dwellings with some multifamily houses, including row houses containing two to four dwelling units per structure, and single-family houses which have been converted into to two-family or multi-family dwelling units.
- 2. A number of publicly owned lands and buildings, such as the Town Hall and Central Park, currently exist in this district. Uses that support the civic and recreational needs of Town residents should be compatible with the existing residential character of the area.

c. Design Character and Scale

- 1. Traditional Residential Mixed-Use projects should be compatible with the existing residential character, such as that found along the Town’s historic residential streets, with a fine-grained land use pattern at a human scale.
- 2. All development should be sympathetic with the existing character of the area.
- 3. Infill development should be compatible with existing residential structures, and promote historic preservation and improve dilapidated properties.
- 4. Future consideration for multi-family dwellings should be based upon architectural compatibility with the Historic District guidelines.
- 5. Vehicular, pedestrian and bicycle circulation should tie the district together internally and with surrounding areas.



- 6. Landscaping should be compatible with the large canopy and flowering trees located along streets, in private yards and in public rights-of-way, and should contribute to the visual character of the area.
- 7. Design elements that contribute to the character of the residential area should be considered, such as sidewalks and fencing.

d. Building Design

- 1. Architecture should be compatible with and reflective of character, materials, and form of the existing traditional residential and commercial buildings in the Historic District.
- 2. Existing historic structures should be preserved and adapted for reuse over time.
- 3. New dwellings should complement the historic structures.



Residential

The Residential category is intended for a variety of housing types to meet the needs of Cape Charles residents. Development in this area should include housing of various types, sizes, and prices to meet the needs of seasonal workers, families, etc.

a. Function

- 1. To meet the housing needs for the citizens of Cape Charles.
- 2. To allow for the diverse mix of compatible residential uses.

b. Preferred Uses

- 1. Land uses in this designation should consist of single-family dwellings, multifamily houses, including row houses containing two to four dwelling units per structure, or single-family houses which have been converted into two-family or multi-family dwelling units.

c. Design Character and Scale

- 1. Residential projects should be compatible with the existing residential character, such as that found along the Town’s historic residential streets.
- 2. All development should be sympathetic with the existing character of the area.
- 3. Vehicular, pedestrian and bicycle circulation should tie the district together internally and with surrounding areas.
- 4. Landscaping should be compatible with the large canopy and flowering trees located along streets, in private yards and in public rights-of-way, and should contribute to the visual character of the area.
- 5. Design elements that contribute to the character of the residential area should be considered, such as sidewalks and fencing.

d. Building Design

- 1. Architecture preferably is compatible with and reflective of character, materials, and form of the existing traditional residential buildings in the Historic District.



*Example of residential buildings. Source: Congress for the New Urbanism

Planned Unit Development

The Planned Unit Development (PUD) surrounding the historic area of Cape Charles is intended to accomplish specific development goals, while being complementary to the Town’s broader Vision and Objectives. The PUD includes areas designated for conservation to conserve ecological function, recreational amenities, and natural aesthetics.

a. Function

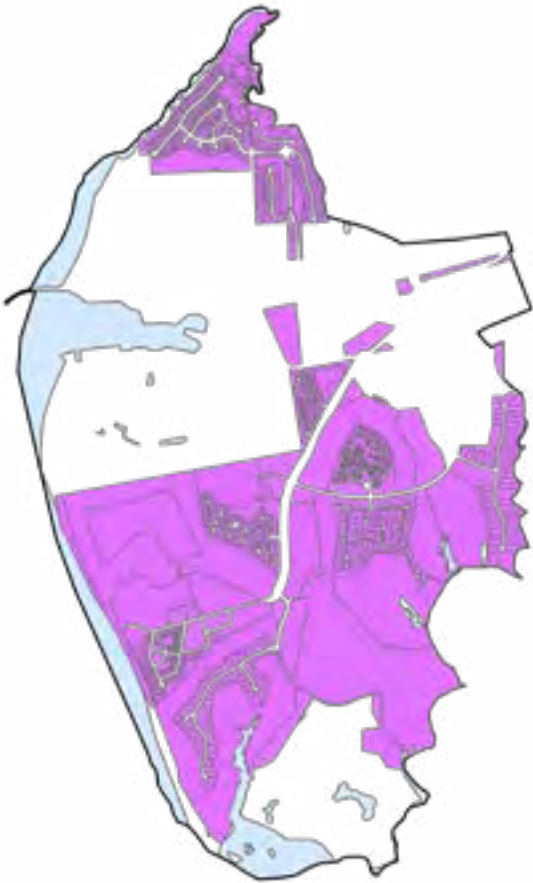
- 1. To allow the continued development of the Planned Unit Development in harmony with the Town.

b. Preferred Uses

Land uses in this area should follow the vision of the Planned Unit Development and the vision/objectives of the Comprehensive Plan, and work in harmony with the development of the Town rather than seeking to provide an alternative to Mason Avenue and the rest of Town.

c. Design Character and Scale

- 1. Uses shall be designed in keeping with the PUD approval, maintaining high quality natural landscapes and architectural aesthetics.



Harbor District

Further master planning will be conducted to create a strong vision for the Harbor District. The area is intended to develop in a way that mirrors the success of Mason Avenue and nearby historic residential blocks. The district could include a mix of uses on an extension of the highly walkable street grid. Specific Harbor District design guidelines should be developed with particular attention to how buildings address the streetscape and the harbor front to create a lively and attractive extension of historic Cape Charles.

Note: Refer to the Harbor Area Conceptual Master Plan and Design Guidelines, once developed.

a. Function

1. To provide a vibrant working waterfront that is both a strong economic benefit to the Town and encourages compatible new industry and employment uses.
2. To provide places with strong public and recreational value, with public gathering places and access to the water.
3. To provide a place for people to conduct business and to live, meet, relax, encounter nature, and learn of Cape Charles’ working maritime and rail heritage and its historic traditions.

b. Preferred Uses

1. Land uses in this district should be mixed, including resort and tourism-related retail, waterfront industrial and employment, associated residences, and accessory uses and should support the existing harbor uses.
2. In general, residential uses should be located above the first floor, reserving first floor storefront space for activity-generating uses such as retail shops, restaurants or recreational amenities.
3. Berthing and marina uses should correspond to the available water depth that exists in the Harbor.
4. Open space and recreational uses, such as walkways, greenways, and public plazas and promenades, that provide access to the water should be provided.

c. Design Character and Scale

1. Harbor Mixed-Use projects should be architecturally and visually compatible with the Town’s historic built fabric and design character, with a fine-grained land use pattern at a human scale, while still reflecting the best contemporary design and development practices. Blocks should generally not be more than 600 foot long.
2. Development should combine uses vertically, as well as horizontally (i.e. mixing uses among buildings and within individual buildings), to achieve convenience, variety and walkability in the district.
3. Building edges should be set similar to the existing section of Mason Avenue to create a more orderly pattern of buildings and develop an urban “main street” character.



4. Public access and views to the waterfront should be integrated in a way that is compatible with the function of the maritime activity.
5. Vehicular, pedestrian and bicycle circulation should tie the district together internally and with surrounding areas and should recognize the unique historic and waterfront environment of the site.
6. Alleys, thoroughfares, and service ways should be utilized to ensure trash pickup and deliveries for commercial establishments do not take place along public right of ways.
7. Design elements should be integrated with wide sidewalks, street trees, benches, and entrances to buildings at the edges of street rights-of-way. Bicycle facilities, on street parking, and usable public spaces should be provided.
8. Landscaping should be provided according to the approved Town landscaping requirements.
9. Most of the site may be developed as building, parking or paved plaza and access areas. However, there should generally be 20-30% of the site in amenity open space, as public plazas, landscaping or decoratively-paved wider sidewalks or sitting areas.
10. Development on the north side of the harbor should be of a scale similar to that of the Historic Downtown Mixed Use Category, while taller heights may be allowed on the south side of the harbor with a gradual height transition between the north and south sides.

d. Building Design

1. Architecture should be compatible with and reflective of character, materials, and form of the existing traditional residential, commercial and industrial buildings in the Town of Cape Charles.
2. Structures and improvements on the site should generally be clustered and compactly designed to allow for minimal disturbance and extensive open space and public areas.
3. The traditional gridded layout of streets in the Harbor Area should be reinforced through the placement and design of buildings, travelways, and landscape elements. New streets should extend the existing historic street grid of the Town.
4. Development along new or existing public streets should foster a walkable and enjoyable pedestrian environment. New development should avoid large expanses of blank walls, should provide frequent street level entries, and should provide sidewalk amenities such as street furniture and lighting that encourage year-round pedestrian use.

Harbor District Industrial

This category is for existing and future commercial and industrial uses along the southern area of the harbor. Although these uses may be intense, the proximity to the deepwater harbor is necessary for their function and for the economic diversity of the Town.

a. Function

1. To provide a broad spectrum of non-tourist related local and regional employment that offers living wage jobs and supports a balanced tax base.
2. To encourage cost effective approaches to resource conservation, wise use of renewable resources, and ecologically based industrial development.
3. To serve as a model for advancing the traditional settlement patterns of the Eastern Shore’s towns and employment centers.

b. Preferred Uses

1. Land uses in the designation should consist of office and flexible industrial uses, including corporate headquarters, emerging technologies facilities, and appropriate manufacturing, that support local and regional employment opportunities consistent with the Town’s small town historic character.
2. Residential mixed-use areas should be encouraged to complement existing and future employment opportunities.
3. Open space and recreational uses, such as walkways, greenways, and public plazas and promenades, should be maintained as an important amenity to the Town.

c. Design Character and Scale

1. Vehicular, pedestrian and bicycle circulation should tie the district together internally and with surrounding areas.
2. Office buildings should be located close to the roadways with parking behind, or underneath and/or located in the interior of the development, so that building fronts and entrances face on the street.
3. Development along new or existing public streets should foster a walkable and enjoyable pedestrian environment. New development should avoid large expanses of blank walls, should provide frequent street level entries, and should provide sidewalk amenities such as street furniture and lighting that encourage year round pedestrian use.
4. Most of the site may be developed as building, parking or paved plaza and access areas. However, there should generally be 10-20% of the site in amenity open space, as buffers, landscaping, greenways or recreational facilities.



5. Alleys, thoroughfares, and service ways should be utilized to ensure trash pickup and deliveries for commercial establishments do not take place along public right of ways.
6. The use of landscaping and screening devices should be used to the maximum extent feasible adjacent to public rights of way.

d. Building Design

1. Architecture should be compatible with and reflective of character, materials, and features of Cape Charles, while still reflecting the best contemporary design and development practices.
2. Structures and improvements on the site should generally be clustered and compactly designed to allow for minimal disturbance and extensive open space and public areas.
3. Along major street frontages, buildings may be taller and should decrease in height as they become less visible from the street.
4. Building facades should have compatible architectural detail when visible from public areas.





Footprints in the sand on Cape Charles Beach.

Implementation

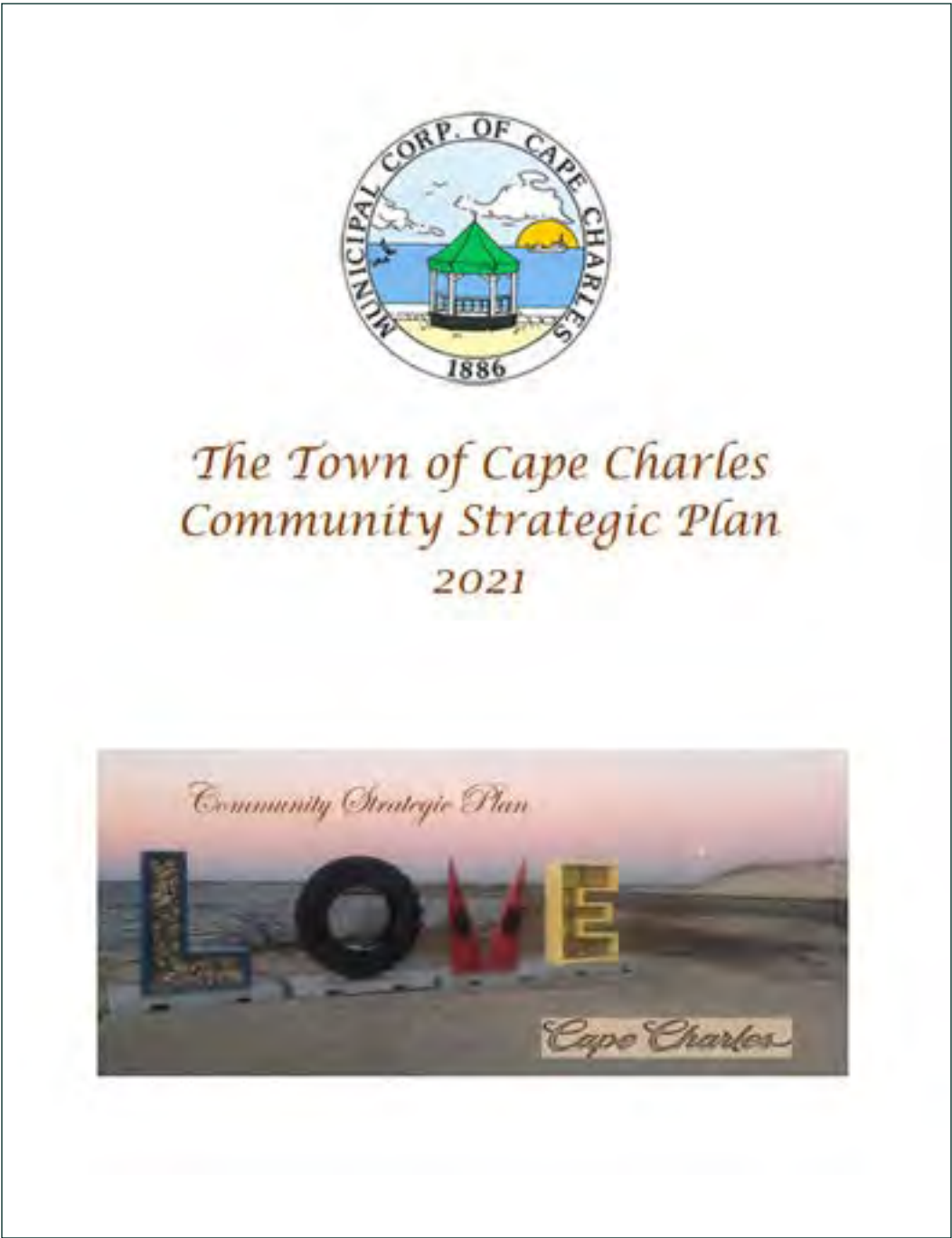
- Relationship to the Community Strategic Plan
- Objectives & Strategies Matrix

Relationship to the Town’s Strategic Plan

The most important part of any plan is its implementation strategy. It is acknowledged that as time passes, and decision makers change, priorities may also change. Therefore, it is critical to develop an implementation strategy that can react in real time. For Cape Charles, the annual review/update of the Community Strategic Plan will draw from the objectives and strategies of the Comprehensive Plan and be used as an implementation tool.

The Strategic Plan and the Comprehensive Plan complement one another and share the same vision. The Strategic Plan will implement the Comprehensive Plan over time by determining which of the Comprehensive Plan’s strategies to focus on in the upcoming year. The Strategic Plan is a shorter, simpler, document that can be reviewed and updated every year, with objectives that can be removed as they are implemented and replaced with new ones.

The annual review/update of the Strategic Plan typically occurs between November – February of each year. This process often includes community surveys. The intent is to finalize the Strategic Plan in time for it to inform the development of the Town’s annual budget, which includes capital projects associated with the Capital Asset Management Plan. Once adopted, the annual budget then becomes the work plan for the following fiscal year.



Housing Objectives & Strategies:
Pursue character appropriate additional supply and diversity of housing, including smaller single-family homes, duplexes, town homes, and condos to increase the availability of affordable housing. a. Review the Zoning Ordinance to identify barriers to the development of mixed-income housing, as well as housing diversity that is naturally more affordable by assessing the findings in the report ‘Overcoming Land Use Ordinance Barriers to Housing Development in Northampton County including Town of Cape Charles’ (published May 27, 2022). This would include a review of opportunities to decrease parking minimums and/or setbacks in certain zoning districts to increase the amount of developable land on each parcel. b. Review the findings and recommendations from Eastern Shore of Virginia Regional Housing Study (published March 2022) to inform future land use and housing policy.
2. Encourage development of affordable workforce housing. a. Engage local businesses about the housing needs of their employees and distribute said information to County and Regional/State Housing officials.
3. Subject to staff resources, participate in housing financing programs. a. Consider participating in programming, loan, and grant initiatives that support affordable housing, such as Tax-Exempt Bond Financing, the Housing Choice Voucher Program, and the Low-Income Housing Tax Credit Program. b. Disseminate housing assistance information focused on available financing for housing rehabilitation (e.g. Livable Home Tax Credits through DHCD, Rehabilitation Tax Credits through USDA); provide and promote these programs with targeted marketing materials on the Town website and in the offices of the Planning & Zoning and Building Departments.
4. In accordance with the Code of Virginia Sec 15.2-2223.5, Cape Charles shall incorporate into its comprehensive plan strategies to promote manufactured housing as a source of affordable housing. Such strategies may include (i) the preservation of existing manufactured housing communities, (ii) the creation of new manufactured home communities, and (iii) the creation of new manufactured home subdivisions.
5. Address the impacts of short-term rentals (STR) on the existing housing stock. (See also Economy Objective Strategy 1.a) a. Develop and maintain a Town inventory of short-term rental units in collaboration with local real estate/property management groups. Identify whether rentals are located within the Historic District or Bay Creek Planned Unit Development area. b. Coordinate with stakeholders to identify how and when short-term rental units are used. c. Encourage long-term rental conversions through legislation or regulation.

Economy Objectives & Strategies:
1. Seek a healthy balance between year-round residents, tourists, and second homeowners in Cape Charles. a. Develop short-term rental (STR) regulations to help protect the quality of life for year-round residents. b. Collaborate with Eastern Shore of Virginia Tourism (ESVA), Cape Charles Main Street, and others to promote Cape Charles as a destination. c. Work with other Eastern Shore localities to develop shared strategies for tourist attraction. d. Strengthen and promote available broadband service to increase viability of Cape Charles as a destination for telecommuters and increase broadband hotspot offerings at areas including the Cape Charles Beach, Central Park, and the harbor area. e. Develop and promote events, such as those in outdoor recreation, to attract tourists.
2. Attract families with children to Cape Charles. a. Support Northampton County administration and School Board efforts to strengthen local schools. b. Pursue the construction of new playgrounds and recreational facilities, to include facilities for adolescent and teenaged children. c. Collaborate with local organizations to increase the amount of youth programming. d. Provide opportunities for organizations and community members to plan and host events on town facilities, the public right-of-way, etc. e. Promote the development of year-round, family-supporting jobs in appropriate areas.
3. Provide opportunities for households to strengthen their economic wellbeing. a. Collaborate with local and regional partners to develop workforce development programs with connections to local industries. b. Partner with colleges and universities, in collaboration with the Northampton County Board of Supervisors, the School Board, and the Eastern Shore Community College, to develop educational opportunities for residents. c. Partner with public/private entities to promote workforce housing development.
4. Promote and expand businesses in a business-friendly environment. a. Promote a healthy balance of light industrial and commercial activity around the harbor. b. Engage professional planning and economic consultants to develop concept plans for the Harbor area and railroad property, as well as associated design guidelines for the Harbor area that complement the Historic District. c. Develop public/private collaboration efforts to guide business development, help remove obstacles, and improve access to workforce resources.
5. Promote diverse economic benefits for the Harbor area. a. Integrate the area with existing bike and pedestrian networks. b. Promote best management practices for stormwater management and flood protection. c. Provide high-quality public spaces and active street frontages.
6. Preserve and expand the local manufacturing base to ensure diverse employment opportunities. a. Collaborate with existing companies to explore opportunities for community events and/or projects that raise the profile of company benefits to the community.

Economy Objectives & Strategies (Continued):
7. Promote traditional water-based economic activities. a. Engage with local watermen to explore ways the Town can support their businesses. b. Engage with waterfront property owners around the harbor to explore ways the Town can support their businesses. c. Study potential municipal barriers to entrepreneurial efforts in or around the harbor area (e.g. local seafood market).
8. Coordinate with Cape Charles Main Street for studying “chains of activity” in Cape Charles to identify any gaps in combinations of how someone can spend their day. a. Study these chains during all seasons of the year. b. Identify strategies to enhance local economy during winter season. c. Attract businesses to fill gaps in chains of activity.
9. Identify placemaking opportunities to test temporary events, installations, or other features that attract people to the area and encourage them to spend longer periods of time, particularly during the off-season, to promote Cape Charles as a vibrant community. Placemaking involves the intentional implementation of art, public space furniture, or event programming in a space to encourage the public to interact and spend time in the space. Encouraging greater activity increases sense of “place” and can make better use of previously inactive spaces.
10. Update the Accawmacke Plantation Planned Unit Development (PUD) Ordinance that governs the Bay Creek Development to be consistent with the goals and objectives of the Comprehensive Plan.

Transportation Objectives & Strategies:
1. Reduce traffic congestion by reducing local vehicle miles traveled (VMT) by automobile. Coordinate with Land Use objectives and strategies. a. Plan and implement comfortable, accessible, and convenient multimodal transportation options. b. Prioritize increasing the number of people walking and bicycling in town. c. Inventory bicycle parking available within the town to ensure that all areas of the town have good access to bicycle parking. d. Utilize “ad campaign” style communications about the benefits of prioritizing walking and bicycling in town. e. Promote golf cart use in appropriate areas.
2. In cooperation with the Virginia Department of Transportation (VDOT), strive to enhance walkability and complete the sidewalk network, especially in the Historic District. a. Provide sidewalks on all urban streets with clear paths (unobstructed by trees, bushes, street lights, etc.) that are at least 5’ wide. b. Clearly mark pedestrian crossings. c. Use minimal curb radii and/or curb extensions to minimize crossing distances for pedestrians. d. Ensure ADA compliance on all sidewalks. e. Explore the implementation of mirrors at all alleyways to increase visibility for pedestrians. f. Clarify and adopt Town policy regarding sidewalks ensuring the responsible party to implement them is defined.
3. Implement new policies and strategies for maintaining safety around golf cart operation. a. Clarify municipal code regarding golf cart operation, ensure that signs are posted with the ordinance notifying golf cart operators that they must use the street and follow other rules of the road.
4. Increase the availability of parking while maintaining character. a. Review benefits of providing clearly marked parking spaces on Bay Avenue. b. Expand the existing parking facility south of the Mason Ave corridor to mitigate the impacts of parking on walkability in the area. c. Study parking and create a strategic parking plan to recommend any infrastructure or policy changes.
5. Identify ownership and alignment of all of the alleys and access easements in town to ensure accuracy and that maintenance is performed by rightful owner. a. Create plan to clearly identify ownership of all alleys and inform owners of their maintenance responsibilities. b. Determine if existing alignments are correct. c. Determine if additional alleys are needed, or if existing alleys need to be moved, especially behind commercial buildings, and develop a plan to enhance access.

Transportation Objectives & Strategies (Continued):
6. Collaborate with the Accomack-Northampton Transportation District Commission to promote accessible and affordable public transit in Cape Charles and throughout the region. a. Collaborate with STAR Transit to pursue convenient, safe, and frequent bus service to key commercial, residential, and recreational destinations.
7. Complete the construction of the multi-use path connecting the Historic District, the harbor area, and the Bay Creek development. a. Make future improvements to the path, including resting areas and bicycle/golf cart parking.
8. Integrate the Harbor area with existing bike, golf cart, and pedestrian networks.
9. Support the Rails to Trails project connecting Cape Charles to the Route 13 multi-use path.

Environment Objectives & Strategies:
1. Enhance water quality of the Chesapeake Bay. a. Support intensifying the monitoring of all measures of the bay’s health. b. Update the Town’s ordinance to reduce the amount of impervious surfaces in town to slow stormwater and contaminant runoff. c. Increase the amount of vegetation and other bioretention infrastructure to filter stormwater before it enters the bay. This could be achieved either through individual projects or with new development.
2. Continue to promote the strong aesthetics of the town and limit pollution from litter. a. Ensure easy access to refuse and recycling bins at town facilities and in public right-of-way. b. Educate residents and visitors of best practices through signage and other materials as necessary. c. Engage with seasonal vendors, such as food trucks, to ensure that they have adequate access to waste receptacles. d. Ensure that stormwater passageways are in good working order and clean from debris.
3. Utilize best practices, along with infrastructure improvements, to ensure high quality drinking water. a. Encourage water conservation measures to ease the load on water treatment equipment. b. Review water quality improvement initiatives from other localities to develop and identify which strategies may be effective in Cape Charles.
4. Maintain the beach and harbor to protect the long-term viability of their ecological services and economic benefits. a. Control dune, beach, and shoreline erosion through regulation and best practices. b. Improve vehicular access from Mason Avenue to town harbor as part of new development to the waterfront. c. Preserve the integrity of and accessibility to the water’s edge.
5. Promote coastal resiliency through policy, development regulation, and enforcement. a. Consider setting new sustainability targets regarding materials, construction practices, etc. b. Consider incentives to promote the use of sustainable development practices. c. Continue active participation in the Resilience Adaptation Facility Tool (RAFT).
6. Protect natural resources, especially wetlands and other sensitive ecosystems. a. Prevent development in environmentally sensitive areas. b. Consider establishment of wetlands bank. c. Conduct annual educational campaigns directed at coastal and creek tributary property owners regarding the Resource Protection Area and the Resource Management Area applicable to their properties. Provide information on best practices regarding landscaping: the maintenance of trees, shrubs, bushes, and other vegetation, as well as appropriate species and sizes to use for replacement, if necessary.

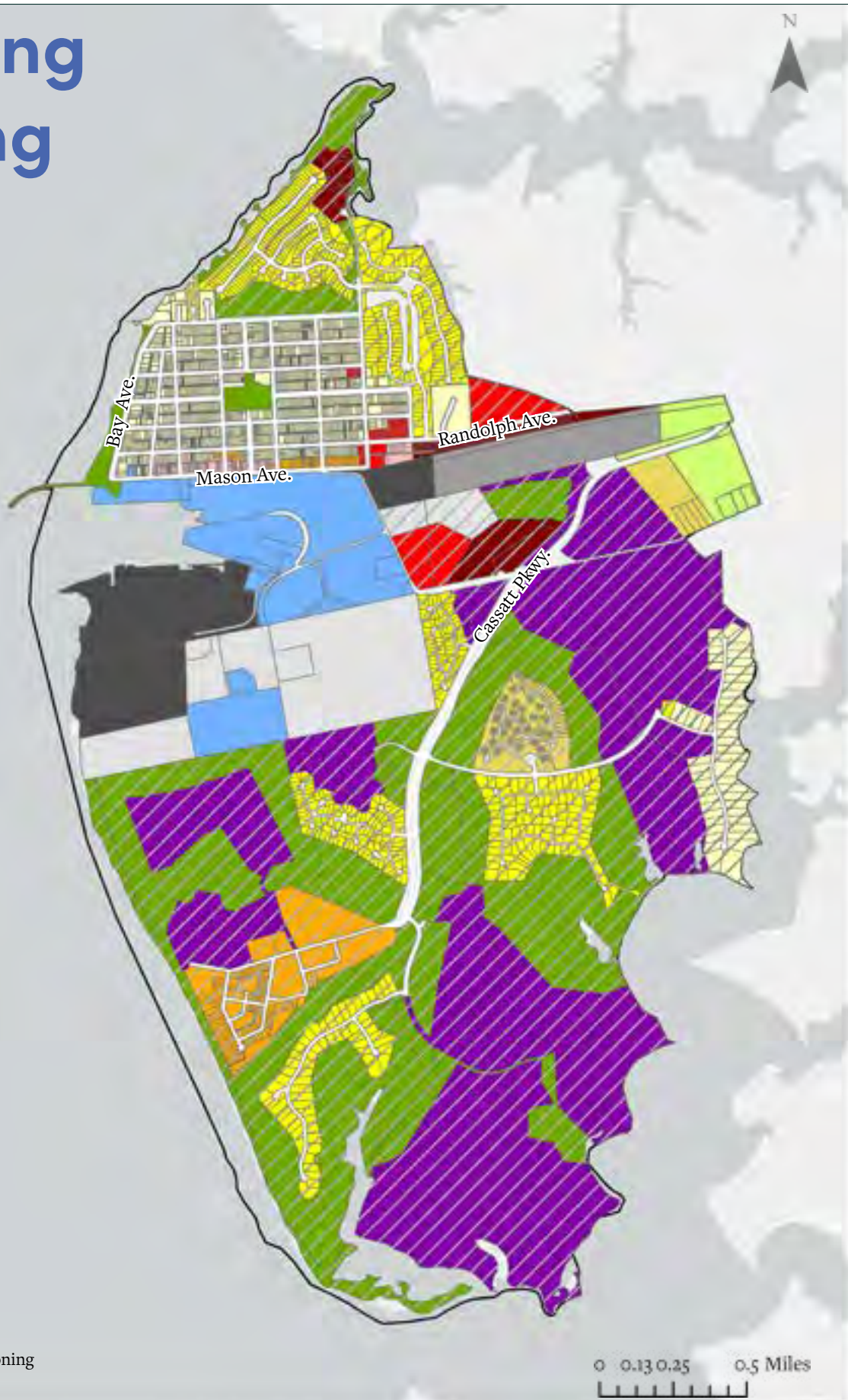
Environment Objectives & Strategies (Continued):
7. Working with the Town Wetlands and Coastal Dune Board, continue to implement Coastal Resources Management guidance from the Virginia Institute of Marine Science. a. Refer to the guidance presented in the locality’s Comprehensive Coastal Resource Management Portal (CCRMP) prepared by VIMS to guide regulation and policy decisions regarding shoreline erosion control. b. Utilize VIMS Decision Trees for on site review and subsequent selection of appropriate erosion control/shoreline best management practices: http://ccrm.vims.edu/decisiontree/index.html. c. Utilize VIMS’ CCRMP Shoreline Best Management Practices for management recommendation for all tidal shorelines in the jurisdiction. d. Consider a policy where the above Shoreline Best Management Practices become the recommended adaptation strategy for erosion control, and where a departure from these recommendations by an applicant wishing to alter the shoreline must be justified at a hearing of the board(s). e. Encourage staff training on decision making tools developed by the Center for Coastal Resources Management at VIMS. f. Follow the development of the state-wide General Permit being developed by VMRC. Ensure that local policies are consistent with the provisions of the permit. g. Evaluate and consider a locality-wide permit to expedite shoreline applications that request actions consistent with the VIMS recommendation. h. Seek public outreach opportunities to educate citizens and stakeholders on new shoreline management strategies including Living Shorelines. i. Follow the development of integrated shoreline guidance under development by VMRC. j. Evaluate and consider a locality-wide regulatory structure that encourages a more integrated approach to shoreline management. k. Consider preserving available open spaces adjacent to marsh lands to allow for inland retreat of the marshes under rising sea level. l. Evaluate and consider cost share opportunities for construction of living shorelines.
8. Consider the creation of a committee to provide recommendations for increasing the Town’s resiliency to storm events or delegate these responsibilities to the Dunes and Wetlands committee.
9. Assess the feasibility of providing recycling in the Town from year to year. Promote use of the Northampton County recycling drop off service.
10. Study and support efforts to protect Cape Charles existing tree canopy while encouraging new plantings. Follow the guidance found in the Master Tree Plan (see Appendix).
11. Evaluate the amount of storm water infiltration into the sewer collection system and develop a corrective action plan.

Community Facilities & Services Objectives & Strategies:
1. Pursue adequate lighting and other amenities (seating, trash receptacles, water fountains, signage, etc.) for Town designated facilities.
2. Plan for the creation of modernized, accessible, and welcoming municipal facilities.
3. Plan for the creation of amenities, such as a multi-use recreation field or other play areas.
4. Ensure efficient, cost-effective management, maintenance, and operation of water and sewer utilities, in conformance with all regulatory requirements.
5. Establish a policy for paying for capital facility expansion needs over time.
6. Develop proffer policies so that future development helps pay for the additional impacts and public facility costs that it generates.
7. Pursue funding opportunities for art, public events, markets, et cetera.

Appendix

- Existing Zoning
- Master Tree Plan

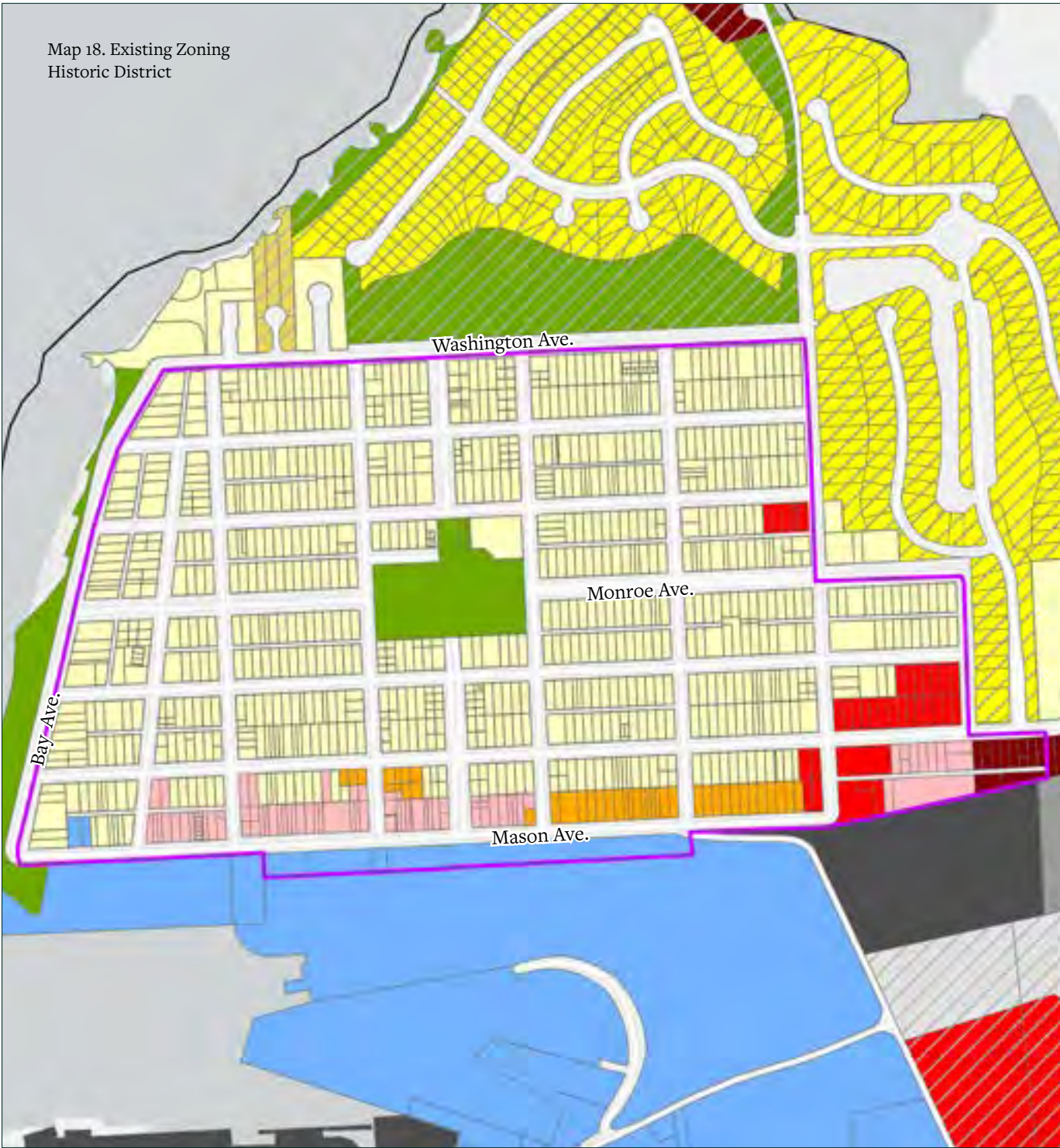
Existing Zoning



Zoning Classifications

- Open Space
- Residential Estate (R-E)
- Single-Family Residential (R-1)
- Medium Density Residential (R-2)
- Multi-Family Residential (R-3)
- Commercial Residential (CR)
- Commercial District (C-1)
- Commercial District (C-2)
- Commercial District (C-3)
- General Business/Light Industrial (GBI)
- Industrial (M-1)
- Industrial (M-2)
- Harbor District
- Planned Unit Development (PUD)
- PUD Open Space
- Low Density Residential (PUD-R1)
- Medium Density Residential (PUD-R2)
- Multi-Family Residential (PUD-R3)
- Residential/Commercial (PUD Village)
- Commercial (PUD-C)
- Specialty Commercial (PUD - SC)
- PUD General Business/Industrial (PUD-GBI)
- Cape Charles Boundary

Existing Zoning - Historic District



Zoning Classifications



 TOWN OF CAPE CHARLES	AGENDA TITLE: Historic District Design Guidelines		AGENDA DATE December 15, 2022
	SUBJECT/PROPOSAL/REQUEST: Public Hearing on new Historic District Design Guidelines		ITEM NUMBER: 3B & 8C
	ATTACHMENTS: Draft Historic District Design Guidelines		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Katie H. Nunez, Planning & Zoning Administrator	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

In early 2021, the Town Council's Town Priority List identified a review and revision of Historic District Review Board (HDRB) ordinances, guidelines and procedures as among the top priorities for 2021/2022. The guidelines had initially been adopted in December 2001 and had some minor revisions in October 2017.

On April 13, 2021, a joint work session was held with Town Council, Planning Commission and the Historic District Review Board which resulted in the development that the Historic District Guiding philosophy was more toward protecting the character (look and feel) of the district over a strict preservationist approach.

In April 2021, a Request for Proposals was issued for a consultant to revise the guidelines and propose zoning amendments to Article VIII and the Town awarded this contract to Commonwealth Preservation Group.

Over the next 17 months, the consultant conducted internal stakeholder interviews and received feedback from Town staff, Town Council and the HDRB; conducted a public opinion survey; provided several drafts of the proposed guidelines to the Town for input, review and feedback; held several meetings with the Town on the drafts and finally held a Public Forum on September 8, 2022 to preview the draft guidelines and seek public comment on the draft.

By the end of September 2022, over 110 comments were submitted to the Town and another joint meeting with Town Council, Planning Commission and Historic District Review Board was held with our consultant at the end of September 2022 where all comments were considered and discussed by the group for possible inclusion into the draft guidelines.

Final draft guidelines were released on November 14, 2022 and available for public review in advance of the Town Council public hearing this evening, as required by the Town's zoning ordinance (but not required by State Law).

STAFF REVIEW:

The draft Guidelines accomplish the following:

- Convey that the intent of the district is to maintain the architectural "look and feel"
- Clarity to the guidelines themselves and clearly establish the roles and responsibilities of Town Staff, Historic District Review Board, Town Council and the property owner and their contractor
- Addition of new sections specific to New Construction and Infill lots/vacant lots as well as Accessory Structure
- Expansion of graphics accompanied with text for ease of use by property owners, Town staff, the HDRB and Town Council
- Expansion of site features based upon public feedback (internal walkway paths on the property, patios, water features, enclosed outdoor showers and other similar amenities)
- Inclusion of new chapter focused on alternative materials and a decision-making path for the HDRB to consider and possibly include alternative materials as part of a project.

- Inclusion of new chapter focused on routine maintenance and repairs to help property owners extend the life of their homes and other structures on the property
- Lastly, the Town was unable to adequately document the Town's approval of the Historic District Bounds so, through a separate agenda item (Item 8D (i)), the Town Council will be reaffirming the bounds by description as well as the inclusion of map depicting the Historic District Bounds. Based upon the Town Council action concerning Agenda Item 8D (i). that map and bounds description will also be replicated within the Historic District Guidelines.

TOWN COUNCIL

Town Council is requested to hold their public hearing on the fully revised Historic District Guidelines; to consider all public comments provided and consider favorable action to adopt the proposed Historic District Guidelines to be effective immediately through **Resolution 20221215C**.

.

Resolution 20221215C
Adoption of the Town of Cape Charles
Historic District Design Guidelines

WHEREAS, the current Town of Cape Charles Historic District Design Guidelines was last revised in October 2017; and

WHEREAS, the Historic District Design Guidelines contained some ambiguities which created difficulties with the interpretation of the contents; and

WHEREAS, during the 2021 strategic planning meetings with the Town Council, Planning Commission, Historic District Review Board, and staff a new philosophy was developed pertaining to the Cape Charles Historic District; and

WHEREAS, in May 2021, the Town issued a request for proposals for consulting services to review the existing historic district zoning provisions and guidelines, and to recommend changes to reflect the new philosophy; and

WHEREAS, after review of the proposals, the Cape Charles Town Council approved awarding the contract to Commonwealth Preservation Group; and

WHEREAS, a Public Forum was held on September 8, 2022, with public comments accepted until September 26, 2022. A joint work session of the Planning Commission, Town Council, Historic District Review Board and Commonwealth Preservation Group was held on September 29, 2022 to discuss comments received and appropriate changes were incorporated into the final draft of the Town of Cape Charles Historic District Overlay Design Guidelines dated November 14, 2022; and

WHEREAS, the Cape Charles Town Council held a public hearing on December 15, 2022 as required by the Town of Cape Charles Zoning Ordinance Section 8.20 (C); now

NOW, THEREFORE, BE IT RESOLVED that the Town Council of Cape Charles, Virginia adopts the November 14, 2022 Town of Cape Charles Historic District Overlay Design Guidelines.

Adopted by the Town Council of the Town of Cape Charles on December 15, 2022.

By: _____
Mayor

ATTEST:

Town Clerk

CAPE CHARLES HISTORIC DISTRICT OVERLAY DESIGN GUIDELINES



Draft 4
November 14, 2022

The Cape Charles Historic District Overlay Guidelines were prepared with best practices as understood within the professional preservation community and as outlined in National Park Service guidance. Design Guidelines are intended to establish expectations for all parties and facilitate decision-making by the Historic District Review Board by interpreting the Standards outlined in the Town of Cape Charles Ordinance. They are intended to be applied consistently but provide opportunities for the Historic District Review Board to use its discretion based on the substance and particular circumstances surrounding the application and related historic resource. Design Guidelines are not legally binding on Town Council or the Historic District Review Board. They are, however, more effective for all parties if applied consistently whenever feasible.

City Council has adopted the Cape Charles Historic District Overlay Guidelines on *insert date of adoption*.

Cover Photograph: Postcard, Street scene in Cape Charles, c1920

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CAPE CHARLES HISTORIC DISTRICT OVERLAY DESIGN GUIDELINES



INTRODUCTION

In the Commonwealth of Virginia, one of the only means to protect historic resources is through adoption of a local historic overlay district that supplements the underlying zoning. State enabling legislation for this type of regulatory historic overlay district can be found in [Chapter 15.2-2306 of the Code of Virginia](#).

The Cape Charles Historic District Overlay was adopted by Town Council in 2001 and is set forth in Article VIII, [Historic District Overlay Ordinance](#). The Cape Charles Historic District Overlay Design Guidelines are supplementary to the Overlay Zoning ordinance and provide detailed guidance and expectations for activities proposed within the boundaries of the Historic Overlay District.

1.1 PURPOSE OF CAPE CHARLES HISTORIC DISTRICT OVERLAY DESIGN GUIDELINES

The purpose of these Design Guidelines is to protect the historic character of the resources within the Cape Charles Historic District Overlay and to set forth the expectations for property owners within the district. As such, it is critical that all parties working within the boundaries of the Cape Charles Historic District Overlay have access to, and regularly consult, these Design Guidelines. They are written for property owners, architects, and contractors to guide project development for proposed work that will be reviewed by the Historic District Review Board (HDRB). A proposed project is submitted for review by the property owner (or their contractor/designer) through a formal application requesting a Certificate of Appropriateness (COA) from Town staff or the HDRB. These Design Guidelines are intended for use by Town staff and the HDRB when reviewing applications for a COA, and for the Town Council to consider when a decision of the HDRB is appealed. See Chapter 2 for details on the COA application process.

The Design Guidelines should be referred to when repairs or improvements are planned and visible from the public right-of-way, such as on the exterior of a building,

Clarifying the role of the Guidelines

The topic of local design guidelines always needs to be understood within its relationship to the local preservation ordinance. The ordinance is law and the design review criteria are part of the law. Design guidelines are not, in and of themselves, mandatory like the ordinance and should not be confused with the ordinance. In most cases, guidelines are just that - helpful, interpretive, explanatory recommendations. Consisting of written and graphic information in a printed book format, they are the key support materials for administering design review and may be used to advantage by commissions, boards, and applicants alike in the review process.



Figure 1.1 - A current aerial of the Cape Charles Historic District. (Photo by Chris Glennon)

on the surrounding private property, or when new construction is undertaken. They should also be referred to when the Town proposes improvements on publicly-owned property. This is to ensure that such actions are appropriate in order to maintain the historic character of the Cape Charles Historic District Overlay; this is a quality that Town citizens and leaders have chosen to protect. In the rare event that a life safety concern identified in the Existing Building Code conflicts with these Design Guidelines, the Building Code will prevail at the discretion of the Building Code Official and in consultation with the Zoning Administrator. It is important to note that if all stakeholders use the guidelines, the purpose and intent for establishing the district will be achieved and conflict between user groups will be minimized.

Because Cape Charles is unique, these Design Guidelines are specific to the Town of Cape Charles. They are based on a study of the buildings, on interviews with internal stakeholders, on input received during public engagement meetings, and on the current policies and goals of the Town. They are intended to reflect the Town's unique historic and geographic context, architectural styles, and current and foreseeable trends driven by the Town's growth. Each project will be reviewed based on individual circumstances however, to the maximum extent possible, interpretation and use of the Design Guidelines should be consistent across properties and by all decision-makers.

A 507 & 511 Tazewell Ave



(Hagley Digital Archives, 1886)

B



(CPG, 2022)

Figures 1.2 A & B - An 1896 photograph of residential Tazewell Avenue (A) and current photograph of the same buildings (B). This is one example of the town's architectural past that endures today.

1.2 CAPE CHARLES' HISTORIC DISTRICT GUIDING PHILOSOPHY

In April of 2021, at the request of Town Council, the Town Manager convened a joint meeting of the Town Council, the Town Planning Commission, and the HDRB. The purpose was to update the

Town's philosophy for the Historic Overlay District. The resulting document is titled the "Cape Charles Historic District Guiding Philosophy," and is a reflection of the consensus reached at this meeting:

The goal of the Historic District and the Historic District Review Board (HDRB) is to help maintain the authentic character associated with the Town's historic resources. For Cape Charles, this means making all reasonable efforts to preserve the look and feel of our past, without taking a strict preservationist approach. We are a living, evolving town who must be mindful of safeguarding our unique charm through facilitating the maintenance or update of historic buildings for continuing and new uses, while supporting their character-defining features and their overall contribution to the district.

The Town's Historic District enabling ordinance and Design Guidelines are intended to balance the welfare of the general public and the interests of individual property owners. They are not intended to prevent property owners from making changes to their property. They are meant to ensure that those changes enhance the historic qualities that are enjoyed by all members of the community and which make an area a special place in which to live and work.

The enabling ordinance ([Zoning Ordinance, Article VIII – Historic District Overlay](#)) outlines the Historic District processes and requirements. The Design Guidelines on the other hand, are not based in law and should only be considered helpful, interpretive, explanatory options that may be considered by the HDRB. Both Article VIII and the Design Guidelines are approved by the Town Council.

The HDRB is expected to use independent judgment and discretion when referring to the Design Guidelines and to consider the unique characteristics of each request. The board is expected to work with each applicant to assist them in achieving their goal while preserving the character of the district. If the board determines that due to unique circumstances a request should be granted outside the Design Guidelines, they may do so, but will document their rationale.

Standards are different than guidelines. Standards are requirements mandated by ordinance and will not be considered by the HDRB. The Design Guidelines will not contain standards. Compliance with standards will be determined by the zoning administrator or building official.

Synthetic materials will not be prohibited simply because they are synthetic. The appropriate metric in determining material or detail selection will be that it has a genuine authentic appearance, such that a typical observer would not be able to discern a visual difference from the original materials/design from any public right-of-way. Note: the complete removal of specific historic elements or features from contributing properties shall be avoided.

New construction and noncontributing structures within the Historic District will have separate Design Guidelines from those of contributing structures; however, they will strive to complement contributing structures as much as practicable. This includes encouragement for detailing that may enhance the look and feel of the chosen period of significance or the period of the building's original construction.*

*For ease of use, new construction ([Chapter 5.13](#)) and noncontributing structures ([Chapter 5.7](#)) are addressed in separated sections of these design guidelines.

1.3 CERTIFIED LOCAL GOVERNMENT PROGRAM

The **Certified Local Government (CLG)** Program was created by the National Historic Preservation Act of 1966 (as amended in 1980). It establishes a partnership between local governments, the federal historic preservation program, and each State Historic Preservation Office (SHPO), which in the case of Virginia is the Department of Historic Resources (DHR). This program allows DHR, as the SHPO, to recommend for certification local governments that have put key elements of a sound local preservation program in place in their communities. Designation as a CLG gives local governments a way to participate more formally in state and national historic preservation programs. General requirements for certification are identified in the federal program; specific requirements for the Virginia program have been established by DHR.¹

The goals of the Virginia CLG program are threefold:

- Promote viable communities through preservation
- Recognize and reward communities with sound local preservation programs
- Establish credentials of quality for local preservation programs

TOWN OF CAPE CHARLES CLG STATUS

The Town of Cape Charles applied for participation in Virginia's Certified Local Government (CLG) Program on January 17, 2006.² The Town did this because there was a desire to become designated as a CLG community and to take advantage of the benefits of participation in the program. Cape Charles was designated as a CLG by the National Park Service on March 12, 2007 in recognition of its "active and ongoing" local historic preservation program. The town had demonstrated clearly articulated historic preservation goals, including updating its historic resources survey, its Design Guidelines, and including archaeological resources in its preservation planning programs.³



Figure 1.3 - The CLG program, along with state and federal entities, work with Cape Charles to promote preservation and also offer incentive programs through grants and rehabilitation tax credit work.

1.4 DEFINING CONTRIBUTING & NONCONTRIBUTING RESOURCES

The National Park Service (NPS) offers guidance on how to determine if resources are considered contributing or noncontributing to historic districts or individually listed properties.⁴ Cape Charles follows these guidelines, using the Cape Charles Historic District National Register nomination inventory to determine contributing and noncontributing status for buildings located within the Cape Charles Historic District Overlay. A contributing resource can be a building, site, structure, or object that adds to the significance of the Historic District.

A contributing resource:

- Was present during the period of significance;
- Relates to the significance of the district;
- Retains historic integrity; or
- Independently meets the National Register Criteria



Figure 1.4 - This house was constructed within the period of significance and retains a majority of its historic features such as wood siding and decorative trim. It is a contributing resource.

A noncontributing resource is within the boundaries of the district, but does not add to its significance.

A noncontributing resource:

- Was not constructed during the period of significance;
- Does not relate to the documented significance of the district;
- No longer retains historic integrity due to significant alterations, additions, or changes; or
- Does not independently meet the National Register Criteria.

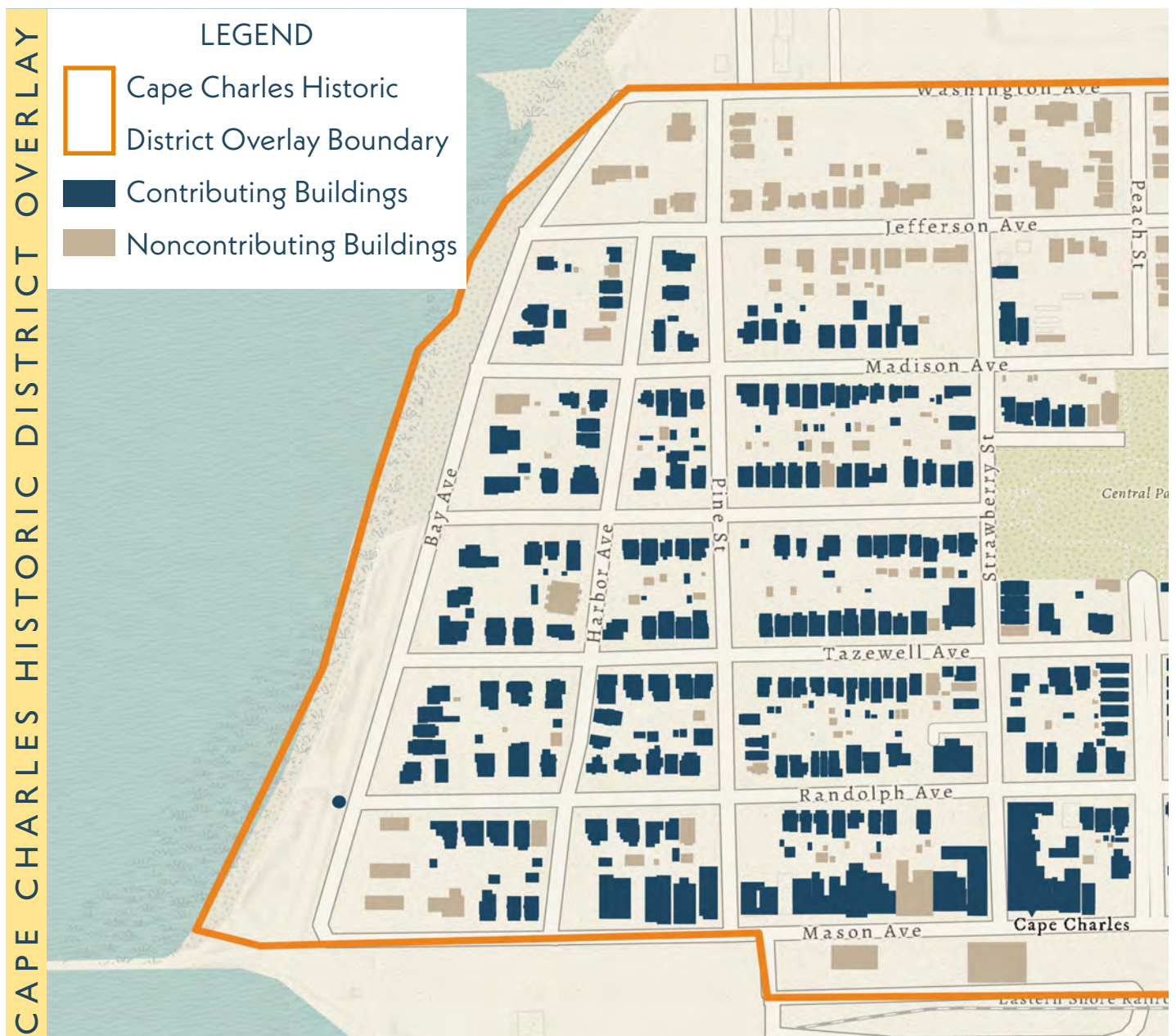
Contributing and noncontributing status is determined during field survey in conjunction with a National Register nomination and/or any subsequent updates to the nomination.

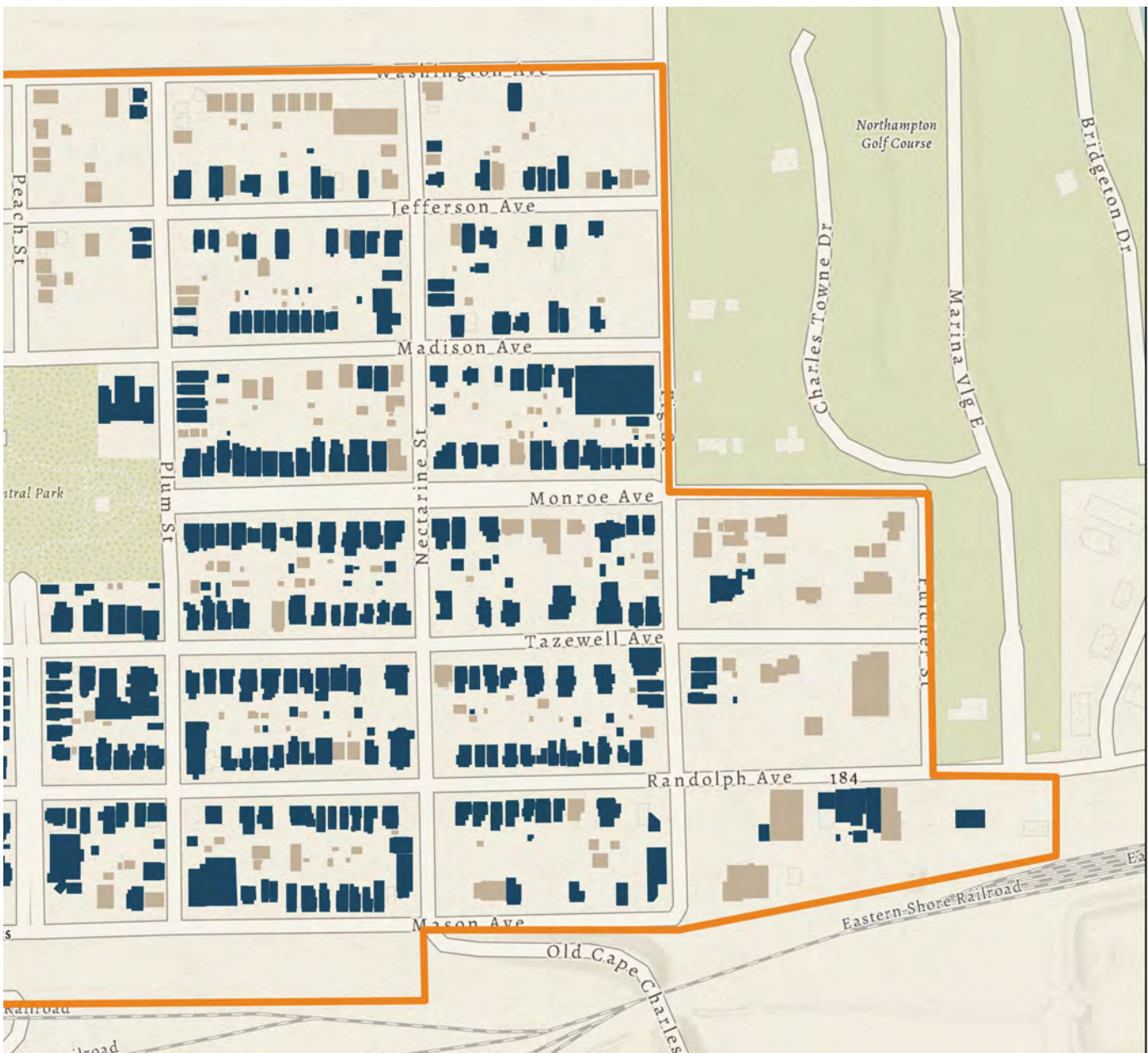


Figure 1.5 - This house is a modern construction outside of the period of significance and therefore is a noncontributing resource. Its design is simplified such as its massing and decorative trim which is respectful of the adjacent historic resources.

The period of significance for the Cape Charles Historic District Overlay is 1883-1964; this spans from the date of the original town plat until the completion of the Chesapeake Bay Bridge Tunnel. Resources that are “contributing” to this district were present during this time period, relate to the documented significance of the district, and retain historic integrity.

The Cape Charles Historic District Overlay map below shows the boundaries of the local district, and is color-coded to indicate contributing or noncontributing status for easy reference. The National Register inventory is also on file with Town staff should an applicant need assistance determining the status of their building.





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CAPE CHARLES HISTORIC DISTRICT OVERLAY DESIGN GUIDELINES

2

APPLICATION & REVIEW PROCESS

The intent of this chapter is to introduce the application and review process for a Certificate of Appropriateness (COA) within the Cape Charles Historic District Overlay. It will begin with a brief explanation of the Historic District Review Board (HDRB), including its role in the application and review process.

Following this will be a more in-depth discussion of what a COA is and three categories of review a project might fall into:

- Actions that do not require a COA
- Minor actions that can be administratively reviewed and approved
- Major actions requiring review by the HDRB

It is important to know what level of review will be necessary to plan a project with adequate time included for the application and review process.

The chapter will conclude with information on appeals and expirations of COAs, modifications to existing COAs, inspections of approved projects, and enforcement of the ordinance.

2.1 WHO IS THE HISTORIC DISTRICT REVIEW BOARD & WHAT DO THEY DO?

The HDRB is a group of citizen volunteers appointed by the Town Council to review COA applications using the *Cape Charles Historic District Overlay Design Guidelines* during their review. In the Town's [Historic District Overlay Ordinance](#), the Town Council has expressly delegated its governing authority to issue COAs to the HDRB, and stated that the *Cape Charles Historic District Overlay Design Guidelines* is the tool that the HDRB must use to objectively review such applications. The HDRB is expected to use its expertise when interpreting the Design Guidelines, considering them for each application while maintaining consistency to the maximum extent possible.

As a CLG community, the Town should strive to appoint members to the HDRB who meet certain qualifications set forth in the CLG Program Guidelines to the maximum extent possible. Members of the Board should be a citizen registered to vote in the Town of Cape Charles, should have demonstrated interest and knowledge in the historical and architectural development of the Town, and when possible be a licensed architect or engineer, Planning Commission member, or licensed building contractor. Not all

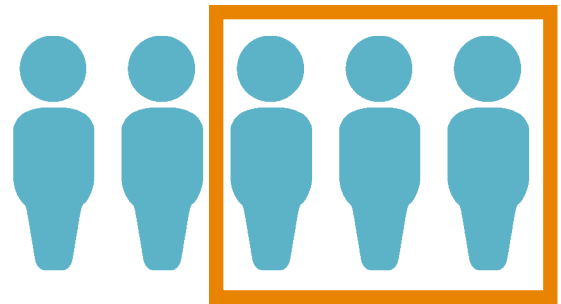
members must meet these qualifications; rather, three members of the review board are required to be residents of the Cape Charles Historic District Overlay regardless of their professional expertise.

HISTORIC DISTRICT REVIEW BOARD MAKEUP

TOWN COUNCIL APPOINTS BOARD



HISTORIC DISTRICT REVIEW BOARD



3 PROPERTY OWNERS WITHIN THE CAPE CHARLES HISTORIC DISTRICT OVERLAY



2.2 WHAT IS A CERTIFICATE OF APPROPRIATENESS & WHEN IS IT REQUIRED?

A **COA** is a **local zoning permit** that is issued by the Town of Cape Charles for work occurring in the local Cape Charles Historic District Overlay as defined in the **Historic District Overlay Ordinance**. Typical examples of such actions include work that:

- Is on the *exterior* of a building that is visible from a public right-of-way (not including public alleys), or
- In the yard within the privately-owned confines of the property, or
- Within the public right-of-way.

The Department of Planning & Zoning provides staff support to the HDRB and will initially sit down with the applicant to discuss the proposed project and review the Design Guidelines. *Before beginning your project, it is recommended to schedule a "Pre-Application Meeting" with the Zoning Administrator or other appropriate Town staff to determine:*

- *if the proposed activity is exempt from review and doesn't require a COA; or,*
- *if the proposed activity requires a COA, and whether the action requires administrative review or review by the HDRB.*

Depending on the type of proposed activity, it is either the Zoning Administrator's or the HDRB's responsibility to review the proposal and, if appropriate, issue the COA for approved projects.

If the Zoning Administrator determines that the proposed activity is exempt from review, per the list in the Historic District Overlay Ordinance, then the property owner will be advised that a COA is not needed and the project may proceed without any further review. The Zoning Administrator will document this decision in writing for the Town's records and also provide a copy to the property owner for reference.



Figure 2.1 - It is important for the applicant to contact the Department of Planning and Zoning's staff early in project planning to ensure proposed work meets all ordinances and Design Guidelines as well as gaining an understanding of the time frame of approvals. This will help to prevent delays later in the project.

2.3 HOW DO I APPLY FOR A CERTIFICATE OF APPROPRIATENESS?

The COA application can be obtained from the Department of Planning and Zoning or can be found online on the Town's website. Although the applicant can be a contractor acting on a property owner's behalf, the application must be signed by the property owner since the property owner is ultimately responsible for the obtaining the COA.

COA APPLICATION REVIEW: ADMINISTRATIVE ACTIONS BY THE ZONING ADMINISTRATOR AND REVIEW BY THE HDRB

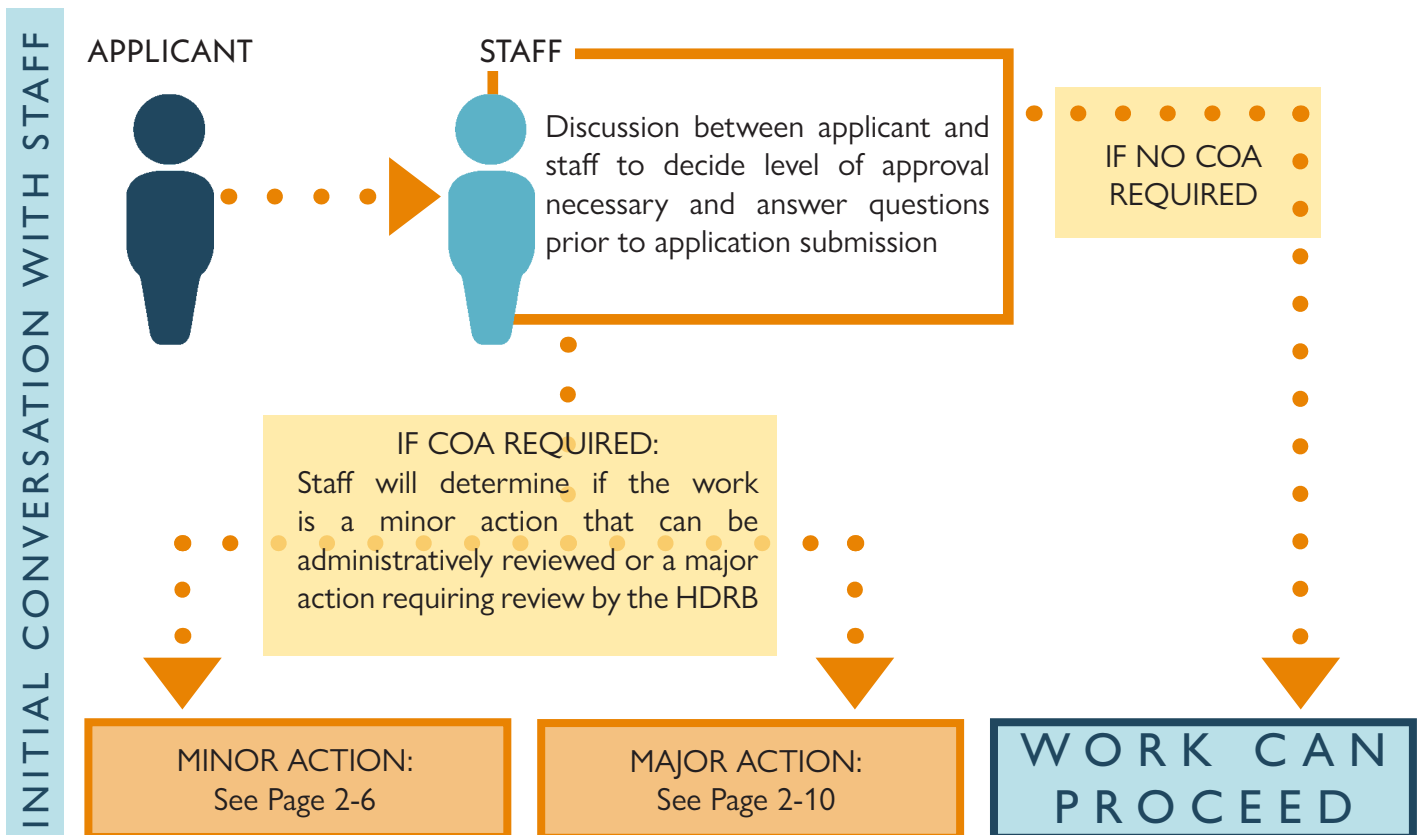
Proposed repairs and modifications to properties in the local Cape Charles Historic

District Overlay are either exempt from needing a COA, can be administratively reviewed by the Zoning Administrator, or must be reviewed by the HDRB.

Actions that Do Not Require a COA

As per Section 8.17 of the [Historic District Overlay Ordinance](#) (Article VIII, Town of Cape Charles Zoning Ordinance), the following repairs or modifications are exempt from needing a COA:

- Repainting a structure (except painting of previously unpainted masonry surfaces, which *requires HDRB review*);



- Repair of missing or broken windowpanes, roofing slates, tiles, porch floors, posts, rails, shingles or siding, window frames, or shutters where no substantial change in design or material is proposed;
- Work done to prevent deterioration or to replace parts of a structure with the same material in order to correct any deterioration, decay of, or damage to any structure or any part thereof;
- Work done to restore material the same, as nearly as practical, to its condition prior to such deterioration, decay or damage;
- Addition or deletion of storm doors or storm windows, window gardens, or similar appurtenances, portable air conditioners located in existing windows, doors or other existing wall openings;
- Addition or deletion of television and radio antennas or skylights and solar collectors in locations not visible from the public street or a right-of-way;
- Landscaping involving minor grading, walks, low retaining walls, temporary fencing, fencing immediately surrounding trash receptacles or outdoor ventilator units, small fountains, and ponds which will not substantially affect the character of the property and its surroundings;
- Alterations and repairs made to a building or structure for the purpose of temporary emergency stabilization as authorized by the Building Official.



(National Slate Association, Unknown)

Figures 2.2 A & B - Replacing a few broken or missing pieces of material, like slate tile (top), will save time and money by avoiding large costly projects such as a total-roof replacement (bottom), as well as foregoing the need to obtain a COA. Creating a regular maintenance inspection schedule will help detect these types of repair needs before it's too late.

Minor Actions that Can Be Administratively Reviewed and Approved

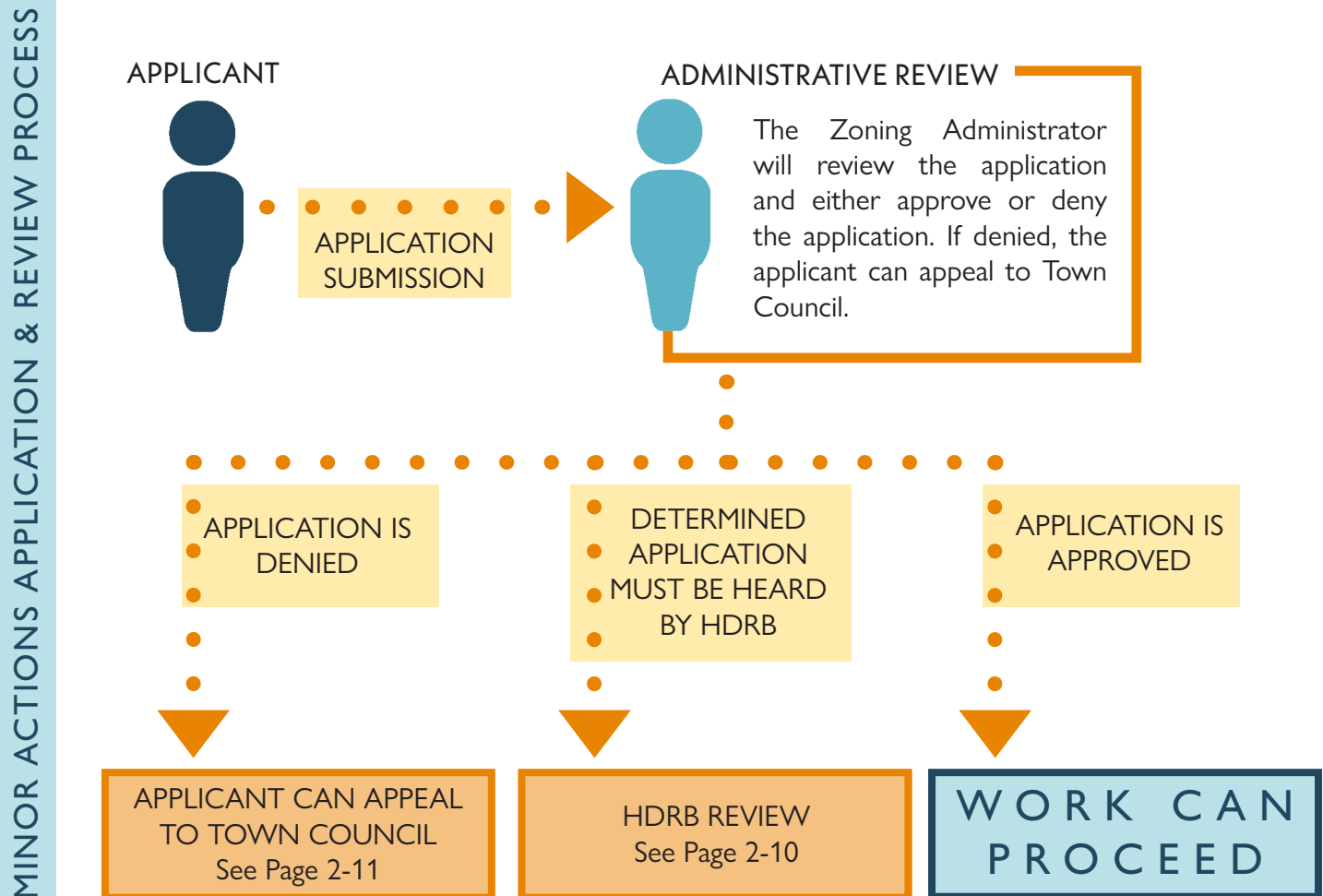
If the Zoning Administrator determines that the proposed project is not exempt and must be reviewed, then one of two things will happen next:

- The Zoning Administrator may conduct an “administrative review” of the proposed project and grant approval, if such authority has been granted to the Zoning Administrator as per the [Historic District Overlay Ordinance](#)

or such authority has been granted to the Zoning Administrator in writing by the HDRB *and* if the proposed work complies with the Cape Charles Historic District Overlay Design Guidelines; or,

- The Zoning Administrator determines that the HDRB must hear the application during a scheduled and properly-advertised public hearing *and* make a determination whether it is appropriate to issue the COA.

The following page lists minor actions, including repairs and modifications, that



are eligible for administrative review and issuance of a COA by the Zoning Administrator:

- Construction of off-street loading areas and off-street parking areas;
- Creation of outside storage in a commercial or industrial district which does not require structural changes or major grading and is not visible from a public street or right-of-way;
- Additions or deletions to existing buildings which are not visible from a public street or sidewalk (alleys in this context are not to be considered public spaces);
- Structures or land uses covered by other zoning ordinance requirements as administered by the Zoning Administrator unless they are also addressed in the Historic Overlay District ordinance;
- Non-substantial alterations: These are defined as repairs or modifications that are not listed previously as exempt and do not constitute a “substantial alteration”, which is defined as any and all work done on buildings, structures, or sites not listed as exempt. As per Section 8.16 of the [Historic District Overlay Ordinance](#), general examples of non-substantial alterations include:
 - Construction of outdoor shower

enclosures which are consistent with the Design Guidelines, [Chapter 9.4, Appertunances](#);

- Construction of new fences that otherwise meet the underlying zoning district fence height and setback limitations and which are consistent with the Design Guidelines;
- Demolition of structures that are designated as “noncontributing” in the Cape Charles National Register Historic District, as updated by the 2017 survey (note: a “contributing” accessory structure will be treated as a “contributing structure” only if

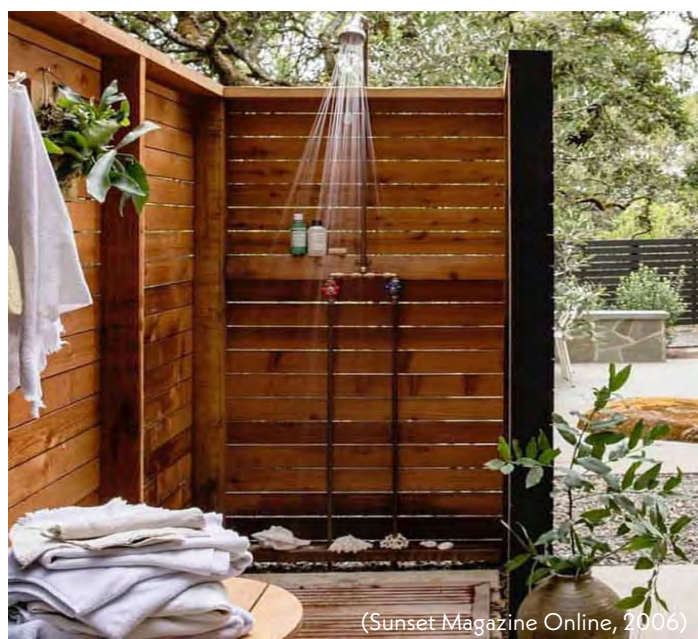


Figure 2.3 - An increasingly popular amenity for Cape Charles' properties are outdoor showers. If improperly planned, they can significantly alter or damage the historic materials of a building or the site. These need administrative approval to ensure appropriate placement and design.

it is on a permanent foundation, and it is of sufficient square footage that a new structure of that type would require a building permit, and is not being used as, or being considered for, accessory dwelling units).

Major Actions Requiring Review by the HDRB

If the application must be reviewed by the HDRB, then the Zoning Administrator or staff designee will prepare a staff report and schedule a formal public meeting for the HDRB to evaluate the application. The HDRB will use the *Cape Charles Historic District Overlay Design Guidelines* to consider the COA application and determine the “appropriateness” of the proposed work. During the public meeting, the HDRB may take any of the following actions, referencing the appropriate section of the Design Guidelines to support their findings:

- Approve the application as presented and issue a COA to the property owner;
- Approve the application with conditions that the property owner must abide by during the course of completing the project;
- Approve only a portion of the application and not the rest;

- If this action is taken, the HDRB will provide a written explanation of their decision. They may refer the matter back to the Zoning Administrator to work with the applicant to reach an acceptable change. After working with the Zoning Administrator and making appropriate changes, the HDRB may have granted Zoning Administrator authority to approve that change or request that the applicant return to the HDRB for another review;
- Deny the application.

In all cases, the HDRB’s decision and justification of how that decision was reached, *including references to the applicable sections of the Design Guidelines*, should be documented in writing either via letter or issuance of a COA addressed to the applicant; this document is also to be kept with the Town’s zoning permit records. It is important that decisions and their justifications, whether by the Zoning Administrator or the HDRB,



Figure 2.4 - A typical HDRB meeting.

be in writing in the event the property owner chooses to appeal the decision. Doing this provides an accurate record of the review for Town Council's reference when asked to consider an appeal and render a decision to either uphold the decision or overturn it.

The following repairs or modifications must be reviewed and approved by the HDRB:

- Any major work that is not exempt or is not eligible for administrative review by the Zoning Administrator and is considered a "substantial alteration." Substantial alterations include:
 - Construction of a new building at any location or a new permanent accessory building on any parcel located within the Cape Charles Historic District Overlay;
 - Relocation or demolition of all or part of a structure designated as "contributing" in the Cape Charles National Register Historic District survey (2017 update);
 - Any addition or alteration that is determined to be visible from the public right-of-way will require a COA;
 - If it is not visible from the public right-of-way, it still needs to be reviewed by the Zoning

Administrator

- Any exterior alteration of the architectural style of a structure or its significant architectural elements if it is designated as a "contributing" structure in the Cape Charles National Register Historic District survey (2017 update). Such elements include removal or building of porches, openings, dormers, doors, windows, chimneys, columns, stairways, terraces, decks, fences, or other structural elements;
- Modifications to structures designated as "noncontributing" in the Cape Charles National Register Historic District survey (2017 update);
- Addition to or removal of one or more stories or alteration of a roof line;
- Enclosure of a porch, including insect screening that is visible from a public right-of-way; and,
- Any other major actions not specifically covered by the terms of Section 8.16.C.3 of the [Historic District Overlay Ordinance](#), but which would have an effect on the character of the Cape Charles Historic District Overlay.

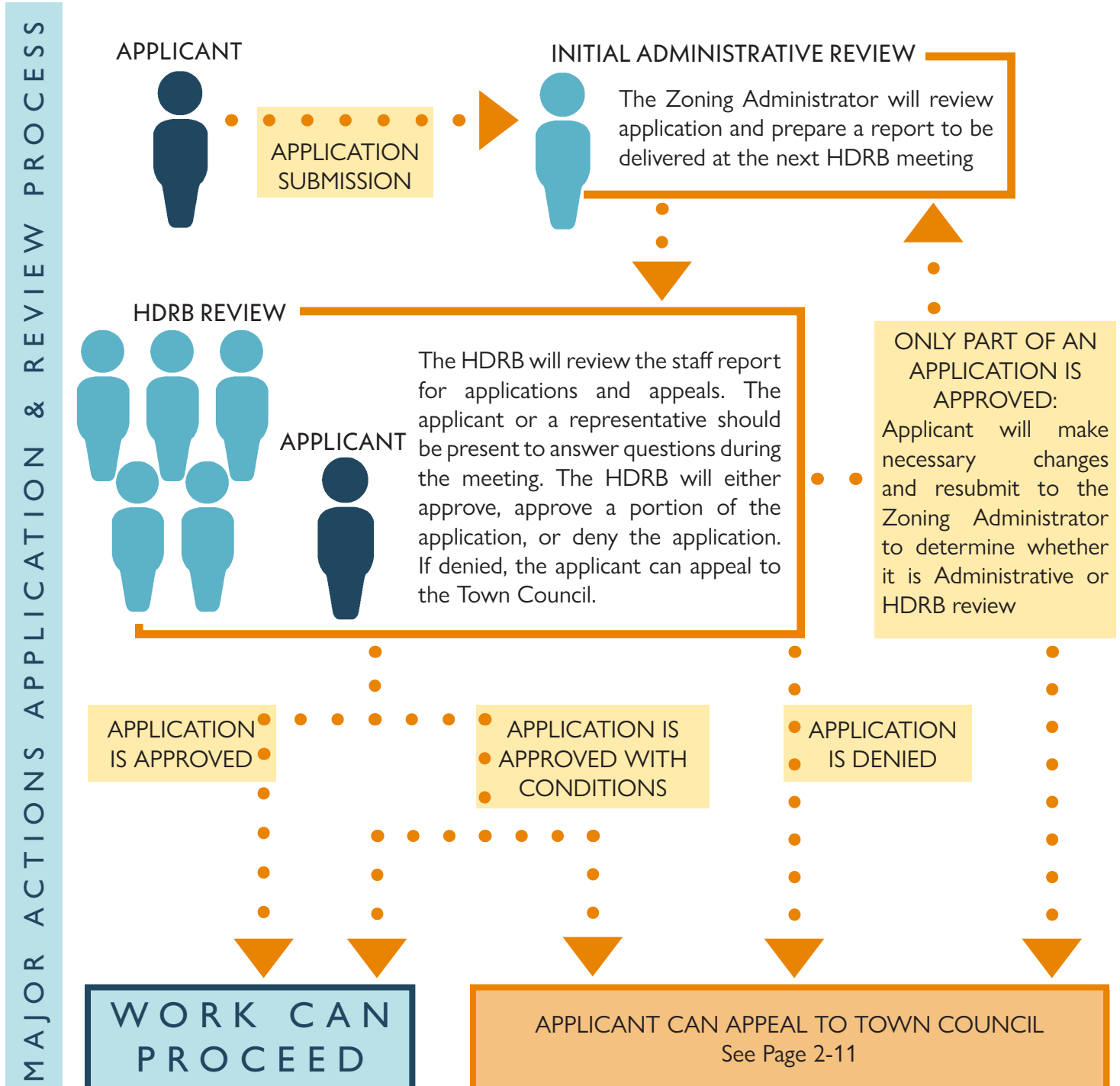
In any case, where there might be some

2

APPLICATION & REVIEW PROCESS

question as to whether a project may be exempt from review, may constitute a minor action that can be administratively reviewed, or may constitute a “substantial

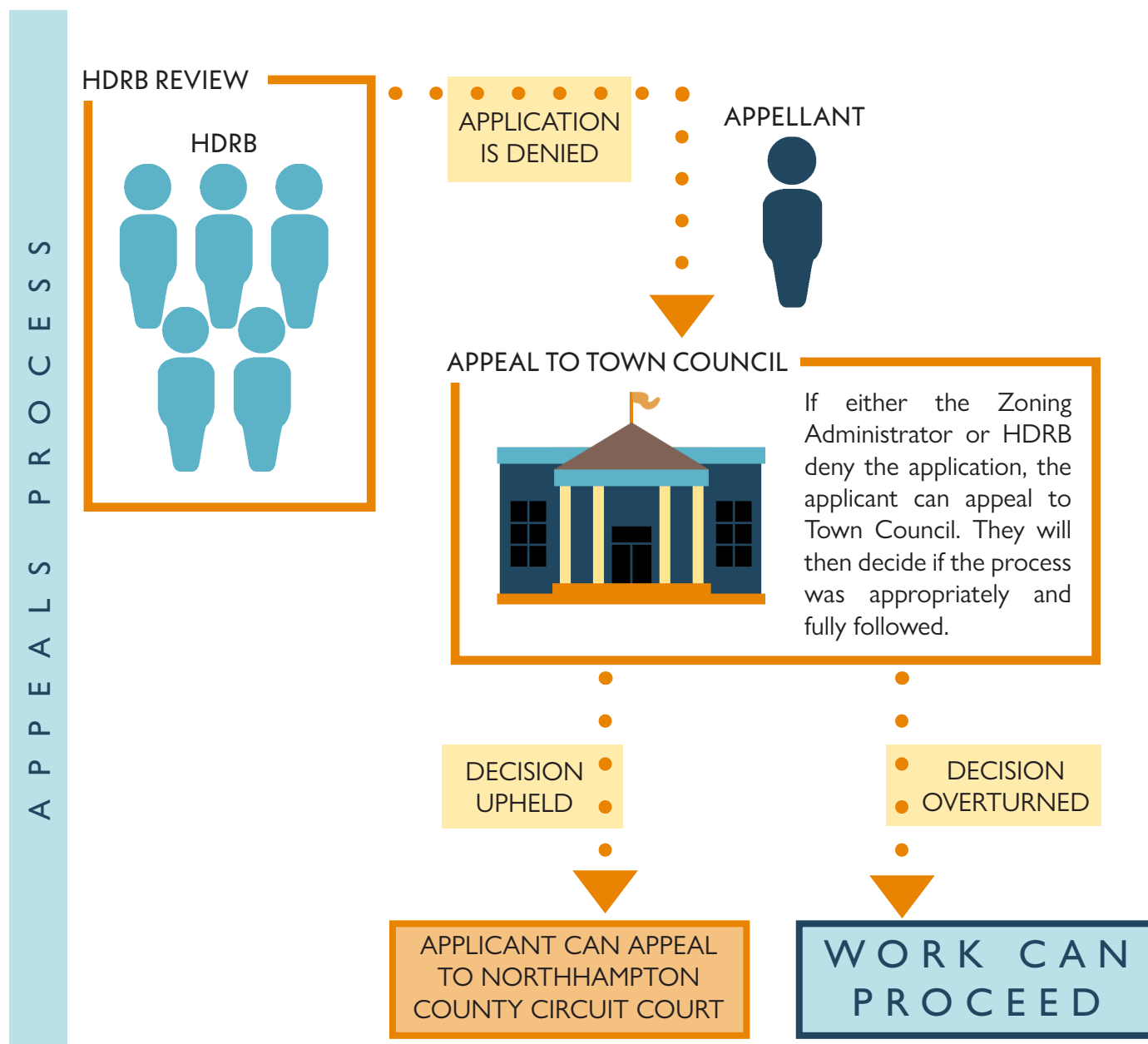
alteration,” the Zoning Administrator shall be contacted and provide a written interpretation which will be considered the “zoning decision” *prior to commencement of the work.*



2.4 HOW DO I APPEAL A DECISION?

If a COA application is denied by either the Zoning Administrator or the Historic District Review Board, the applicant or any aggrieved party demonstrating impact can appeal the decision to the Town Council; for all other zoning decisions made by the Zoning Administrator that are not part of a COA application, appeals should be made

to the Board of Zoning Appeals. Section 8.34 of the [Historic District Overlay Ordinance](#) provides that the applicant has thirty (30) days to request an appeal of the Zoning Administrator's or HDRB's decision on a COA to the Town Council following the date of the decision.



When considering an appeal, the Town Council must rely on the written record of decision. Information not available to the HDRB during their deliberations is not admissible during an appeal to the Town Council. The Town Council must also refer to Design Guidelines to determine if they were appropriately applied when rendering their decisions. *It is not sufficient that the appellant is unhappy with the outcome of the COA decision to pursue an appeal*; however, there is nothing to preclude this type of appeal.

Therefore, the Town Council is only obligated to determine whether or not a procedural or application error has occurred in rendering the initial decision and not to override the independent judgment of the HDRB. Town Council will only review the specific aspect(s) of the application that is being appealed. Otherwise, the appeals process would be entirely subjective. Review of a COA application and use of the Design Guidelines by the Zoning Administrator or Historic District Review Board is intended to be an objective process to the extent practical, reasonable, and feasible. Whether or not the Zoning Administrator or the HDRB followed that process appropriately and fully is what the Town Council must decide on appeal. The Town Council will refer to the Design Guidelines when considering the appeal.

As enabled by Section 15.2-2306 of the Code of Virginia (as amended) and Section 8.35 of the Historic Overlay District ordinance, the Town Council's decision can be appealed to the Northampton County Circuit Court.

2.5 OTHER CONSIDERATIONS FOR APPLICANTS

EXPIRATION OF COAS

As per Section 8.29 of the [Historic District Overlay Ordinance](#), an approved COA expires six (6) months from the date of issuance if the work authorized is not commenced by the end of those six (6) months; at the discretion of the Zoning Administrator, one six (6) month extension may be granted in cases where delays are out of the control of the property owner. Further, any COA shall also expire and become null and void if the authorized work is suspended or abandoned for a period of six (6) months after being commenced. Any period or period of time during which the right to use an approved COA is stayed, pursuant to Article VIII of the Zoning Ordinance, shall be excluded from the computation of the six (6) months.

MODIFICATIONS TO AN EXISTING COA

During construction, there are at times cause for modification(s) to designs previously approved by the Zoning Administrator and/or HDRB. In this instance, the applicant should schedule a meeting with the Zoning Administrator to determine whether the changes are substantive and require action by the body that initially issued the COA. There are three possible scenarios:

- The revisions are minor and technical in nature having no impact to the scope

that was approved in the original COA; in this instance, no further action is required.

- There are revisions which are considered minor in nature but do alter the scope that was approved in the COA and can be reviewed by the Zoning Administrator.
- The revisions are substantive and the COA must either be amended or a new COA considered by the HDRB.

INSPECTION BY ADMINISTRATOR AFTER APPROVAL

As per Section 8.30 of the Historic District Overlay Ordinance, when a COA has been issued, the Zoning Administrator or Building Official shall, from time to time, inspect the alteration or construction approved by the COA and shall give prompt notice to the applicant of any work not in accordance with the COA or violating any ordinance of the Town. The Zoning Administrator or Building Official may revoke the COA or the building permit if violations are not corrected by the applicant in a timely manner.

VIOLATIONS AND ENFORCEMENT

As per Section 8.36 of the Historic District Overlay Ordinance, any violation of the ordinance and the penalties for all such violations shall be as set forth in Section 2.4.3 of the Zoning Ordinance.

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CAPE CHARLES HISTORIC DISTRICT OVERLAY DESIGN GUIDELINES

3

GENERAL DESCRIPTION OF BUILDINGS

This chapter outlines methods of identifying character-defining features on a building and explains the different building types, forms, and styles found in the Cape Charles Historic District Overlay. It is divided into two sections:

- Architectural Character
- Building Type, Form, & Architectural Styles

The first provides instruction on identifying key exterior features of a building that are integral to its historic character.

These features should be identified and maintained not only during a proposed project, but also for the life of the building.

The second section discusses various building types, forms, and architectural styles that are found specifically in Cape Charles and identifies the key architectural characteristics of each.

3.1 ARCHITECTURAL CHARACTER

The architectural character of a building includes features, qualities, or materials/elements that give the building its visual character and which should be retained to the maximum extent possible in order to maintain its historic appearance. "Reading" a building and understanding the features that make it special is a process. There are

eight general exterior features that are analyzed to define the visual character of the building: shape, openings, roofs and related features, projections, trim and secondary features, setting, materials, and craftwork. The following pages break down the analysis of these building features.



SHAPE



OPENINGS



**ROOFS &
RELATED
FEATURES**



PROJECTIONS



**TRIM &
SECONDARY
FEATURES**



SETTING



MATERIALS



CRAFT DETAILS

Figure 3.1 - The above graphics denote the eight exterior features of a resource that could be found on a building. These features are used to analyze and define the visual character of the building. Each feature is identified on the photograph and then divided into separate icons. The icons will be shown on the following pages for reference.



SHAPE

The first step in analyzing visual character is assessing the building's overall shape. Ignore any details; rather, focus on the mass of the building. In most buildings, you will see rectangles and/or squares with perhaps triangular or trapezoidal roof configurations. Note these shapes and any features that emphasize the shape, like tall windows that mimic a vertical emphasis.



Figure 3.2 - This foursquare house has a boxy shape with triangular and trapezoidal roofs. The overall shape emphasizes verticality as well as the post on piers supporting the porch.

QUESTIONS TO ASK ABOUT SHAPE:

1. Is the building a simple square box? Rectangular box?
2. Is the shape more complicated with multiple heights, curves, or various shapes?
3. Is the building tall or squat? Does it have a vertical emphasis or a horizontal one?
4. If you removed or added a feature (like a porch, would it dramatically change the shape?



OPENINGS

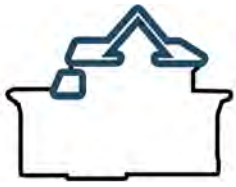
Next, look at the openings, mainly doors and windows. Openings may have patterns that would indicate symmetry (or if there is no pattern - asymmetry). If the openings are decorated, it is important to note how. This could be in their form, like arched windows, or in their material, like stained glass. Also note their construction - large or small panes, diagonal panes, etc.



Figure 3.3 - The openings of this house have clear symmetry, as well as a diversity of form (rectangular and arched windows) and construction (small and large glass panes).

QUESTIONS TO ASK ABOUT OPENINGS:

1. Is there symmetry or a pattern to the arrangement of windows or doors?
2. Are there arched windows, decorative transoms, or other distinct details of the openings?
3. Do the windows have shutters? Are the shutters operable or decorative?
4. Would adding or removing openings to a wall significantly change the character of the building or the overall symmetry or pattern of the openings?



ROOFS & RELATED FEATURES

The roof can define a building in various ways.

It can be a prominent feature or be hidden behind a parapet. It can add additional height and its complexity can add visual interest. It's important to note the shape of the roof line, special design in proportion of the roof or in the material, and if there are other features that are placed within the roof structure like dormer windows, balustrades, etc.



Figure 3.4 - This Craftsman style house has a low pitch roof, but with multiple dormers, decorative brackets, and a chimney that add defining features to the roof.

EXAMPLE QUESTIONS TO ASK ABOUT ROOFS & RELATED FEATURES:

1. Can you see the roof from the street, and if so, how visible is it?
2. Is the roof simple or complex? Are there multiple heights, projections, angles, etc?
3. What is the slope of the roof? Is it steep or shallow?
4. Are there dormers, chimneys, balustrades/parapets, or other decorative features present?



PROJECTIONS

Projections (any component, member, or part which juts out from a building)

add interest and complexity to a building. Projections come in many forms, so it is important to carefully note each and how it adds to the character of the building. Porches, decks, balconies, bay windows, dormers, deep eaves, and towers are all examples of projections.



Figure 3.5 - Queen Anne style houses typically have many examples of projections. Here, bay windows, a tower, a dormer, and a wrap-around porch are all considered projections.

EXAMPLE QUESTIONS TO ASK ABOUT PROJECTIONS:

1. What kind of projections are present? (Deck, porch, balcony, bay windows?)
2. Do the eaves overhang in such a way that is significant to the overall look of the building?
3. Are any of the projections emphasized by decoration?
4. If the projection were to be removed or altered, would it change the building's character?



TRIM & SECONDARY FEATURES

Trim (material used in the finish of a building, especially around openings) and secondary features, while serving practical functions, are often where most of the decoration is found. For example, brackets help strengthen the structure of a roof or porch but can also be made with curved details or cutouts that add a decorative aspect. Note unique patterns that contribute to the building's character.



Figure 3.6 - Gingerbread brackets at the roof and porch, turned balusters, and fishscale shingles all add to this building's character.

EXAMPLE QUESTIONS TO ASK ABOUT TRIM & SECONDARY FEATURES:

1. Is the trim simple or ornate? Do either significantly contribute to the building's character?
2. Is the trim in proportion to the rest of the building? Is it minimized? Is it emphasized?
3. Are there secondary features like railings, columns, decorative panels, lighting, etc.?
4. Are the secondary features simple or are they emphasized through trim or decoration?



SETTING

Everything but the building. Look at the landscaping around the building.

Describe trees, shrubs, and plants as well as the hardscaped areas (sidewalks, driveways, streets, etc.). Notice how the building compares to others in size, placement, style, etc. It may stand out against its neighbors, or work as a cohesive part of the streetscape.



(CPG, 2022)

Figure 3.7 - This house sits on a narrow lot with a modest front yard. The house is aligned with its neighbor and features well-manicured landscaping.

EXAMPLE QUESTIONS TO ASK ABOUT SETTING:

1. Where does the building sit on the property? Close to the street or set back?
2. What type of landscaping or natural features are around the building?
3. What kind of hardscaping is around the building like sidewalks, driveways, curbs, etc.?
4. What is the relationship to nearby buildings? Are they close together (or joined?) or is the building set apart? Are they in line along the street or are they staggered?



MATERIALS

When looking at materials, defining characteristics can be found in any of the previously discussed features. Looking closer at the building, consider what the features are made of. There will generally be more than one material to look at, each with a different appearance, texture, color, shape, or finish. Try to identify all materials of the key features and note their appearance, such as smooth, rough, grainy, grooved, bumpy, etc.

EXAMPLE QUESTIONS TO ASK ABOUT MATERIALS:

1. What materials can you identify on the building?
2. With each material, what is its texture? Smooth, rough, grainy, grooved, bumpy, etc?
3. Are there distinguishing colors or finishes for the individual materials?
4. Are a lot of different materials used? Is a single material more prominent than the others?



CRAFTWORK

Noticing craftwork is taking the closest look at the exterior of a building. This is where consideration is given for how the materials were made. Many buildings have pre-manufactured pieces, like bricks or siding. When assembled by builders or craftspeople, these pieces become a finished building. Craft details can be seen in bricklaying, mortar joints, woodworking detail, stucco trowel marks, etc.

EXAMPLE QUESTIONS TO ASK ABOUT CRAFTWORK:

1. Do the materials look handmade/tooled or are they machine made from a factory?
2. What do the mortar joints of masonry look like? How do different materials join together?
3. Is the roof material laid in a sheet or individually tacked?
4. Are saw marks visible on woodwork? Is there evidence of trowel marks in the stucco?

401 Mason Ave



(CPG, 2022)

Figure 3.8 - This service station turned bookstore has a number of character-defining materials including a blue slate roof, a metal bay window, and a pent roof over the entry, as well as clinker brick give this building a distinctive character.

203 Mason Ave



(CPG, 2019)

Figure 3.9 - The intricate brick patterning on this commercial facade was performed by highly skilled craftspeople and should be retained as a character-defining feature.

3.2 BUILDING TYPES, FORMS, & ASSOCIATED ARCHITECTURAL STYLES

The identified architectural character found in a building helps to identify its type, form, and architectural style. The following pages explain these three terms in relation to the Cape Charles Historic District Overlay and identify some common features, form, and architectural styles found throughout. Examples of each are provided that you can find right in town. The following building types and associated architectural styles were identified in the architectural survey for the Cape Charles Historic District designated in the Virginia Landmarks Register (VLR) and the National Register of Historic Places (NRHP).

Note: The following are only possible features - all features described in each style rarely appear in combination in one building.

BUILDING TYPES

There are three different building types recognized in the Cape Charles Historic District Overlay: Residential, Commercial/Institutional/Civic, or Religious. This is not always the same as building use. For example, a residential type building might be rezoned for commercial use if a retail shop were to be approved to operate there. It is still a residential type, even though its use has changed.

“An architectural style is characterized by a range of dates the style developed within and specific features that make a building notable and historically identifiable.”

423 Madison Ave



(CPG, 2019)

Figure 3.10 - Although currently used as a residential apartment complex, 423 Plum Street is an Institutional building type as it was originally designed as a public school.

500 Tazewell Ave



(CPG, 2022)

Figure 3.11 - Likewise, Cape Charles' Civic Center was originally a church, and would therefore fall under the Religious building type.

BUILDING FORM

Within the category of architectural styles, there may be a subcategory of building forms. Building forms share common footprints or massing with each other, but certain characteristics applied to the form

give the building its architectural style. Certain building forms may be found in several different architectural styles depending on the characteristics applied to the form.

BUNGALOW FORM (1890-1950)**3 Randolph Ave****104 Madison Ave****1 Park Row****221 Monroe Ave**Characteristics of Bungalow Form

- Relatively small
- Never more than two-stories, typically one or one-and-a-half
- Tend to be asymmetrical
- Front or side gable roofs
- Porches often under the slope of the main roof
- Generally found in Craftsman style residences, but not exclusively

AMERICAN FOURSQUARE FORM (1890-1950)

**522 Monroe Ave
Craftsman Style**



**207 Monroe Ave
Craftsman Style**



**111 Monroe Ave
Colonial Revival Style**



**211 Madison Ave
Colonial Revival Style**



Characteristics of American Foursquare Form

- Typically, two-and-a-half stories
- Boxy shape and generally symmetrical
- Low pitched hipped or pyramidal roof
- Hipped dormers
- May feature characteristics of specific styles, but form will be similar

Did you know?

American Foursquare is now considered a form instead of an architectural style due to the variety of architectural characteristics that can be applied to the form of the building. For example, an American Foursquare may feature Craftsman style characteristics, like heavy brackets or brick piers, or Colonial Revival style characteristics, like classical columns or Flemish bond brick. However, the basic form characteristics mentioned above are almost always present.

ARCHITECTURAL STYLE

For each building type, there are many associated architectural styles. An architectural style is characterized by a range of dates the style developed within and specific features that make a building notable and historically identifiable. This may include such elements as form (discussed in 3.2.2), method of construction, building materials, and regional character. As mentioned previously, architectural styles were identified in the architectural survey for each of the primary buildings in the Cape Charles Historic District designated in the VLR and the NRHP.

The following pages are divided by type: Residential, Commercial/Institutional/Civic, and Religious. Architectural styles that are seen in the Cape Charles Historic District Overlay are then identified within these types. Architectural styles that share common characteristics are grouped together under a main category. The following list introduces this organization:

- Victorian Styles
 - Folk Victorian
 - Queen Anne
 - Gothic Revival
 - Italianate
- Period Styles
 - Colonial Revival
 - Neoclassical Revival
 - Dutch Revival
- Craftsman (Including Prairie)
- New Dominion Styles
 - Minimal Traditional
 - Cape Cod Cottage
 - Ranch
- Non-Specific Building Styles
 - Mixed Style
 - No Discernible Style

These categories have shared characteristics that are identified on the first page with specific characteristics to individual styles on the pages that follow. All styles have at least one example from Cape Charles pictured for reference. Some styles have a large number of instances in Cape Charles, while others only have one or two examples. With larger instances, more Cape Charles examples are provided with larger spreads indicating its popularity within the town.

RESIDENTIAL

VICTORIAN STYLES (1835-1940)

FOLK VICTORIAN

123 Peach Ave



(CPG, 2019)

GOTHIC REVIVAL

527 Randolph Ave



(CPG, 2019)

ITALIANATE

123 Peach Ave



(CPG, 2019)

QUEEN ANNE

339 Randolph Ave



(CPG, 2019)

Named for the reign of Great Britain's Queen Victoria (1837-1901), Victorian styles in American architecture persisted long after her death. Industrialization helped spur new balloon-frame construction that simplified building features like corners, wall extensions, overhangs, and irregular floor plans. Mass production gave way to cheaper materials that could easily be shipped across the United States and then assembled on-site. Victorian style buildings exemplify these characteristics by their elaborate complex shapes, heavy ornamentation, and elaborate detailing found in affordable homes previously reserved for more expensive singular buildings.

Shared Victorian Characteristics

- Typically, two or two-and-a-half stories
- Symmetrical or asymmetrical massing
- Verticality in overall shape and openings
- Gable ends will sometimes have fish scale or other decorative siding (less common in Gothic Revival)
- Slate or metal standing seam roof materials
- More ornate detailing around windows, doors, porches, and at rooflines compared to other styles
- Wall surfaces often extend into gables without break (can be closed, usually with bracketing underneath)

FOLK VICTORIAN (1870 - 1915)

631 Randolph Ave



115 Peach St



234 Randolph Ave



405 Randolph Ave

Specific Characteristics of Folk Victorian

- House forms are basic – usually symmetrical I-houses or L-houses
- Roofs cross gable with a prominent central front gable
- Simple window surrounds, sometimes with pediment
- Lace-like corner brackets and jigsaw-cut trim (“gingerbread”)
- Ornamental detail is confined primarily to the porch and main cornice

GOTHIC REVIVAL (1835-1940)

610 Randolph St



Specific Characteristics of Gothic Revival

- Roofs cross gable with a prominent central front gable
- Steeply-pitched gables
- Exposed rafter ends or sheathed rafters parallel to the roof
- Gothic, or pointed, arched windows
- Window tracery
- Colored glass
- Can have batten doors or simple panel doors
- Gothic- or Tudor-arched doorways

ITALIANATE (1835-1905)

111-113 Peach St



Specific Characteristics of Italianate

- Low-pitched hipped, pyramidal, or flat roofs hidden behind a parapet
- Heavy, overhanging cornices with large, decorative brackets
- Arcaded porches
- Cast iron details

QUEEN ANNE (1880-1915)

407 Harbor Ave



611 Tazewell Ave



535 Randolph Ave



205 Peach St

Specific Characteristics of Queen Anne

- Steeply pitched, complex rooflines which are gabled and hipped
- Wrap-around porches with jigsaw-cut trim ("gingerbread")
- Tall chimneys
- Second story overhangs or projections
- Corner towers which can be round, polygonal, or square
- Bay windows
- Detailed ornamentation including spindlework, half-timbering, columns, dentils, decorative panels, and use of mixed materials

PERIOD REVIVALS (1890-PRESENT)

COLONIAL REVIVAL

1 Madison Ave



(CPG, 2019)

DUTCH REVIVAL

8 Monroe Ave



(CPG, 2022)

NEOCLASSICAL REVIVAL

404 Bay Ave



(CPG, 2019)

Period Revival styles are revivals of earlier historical styles, including Colonial, Classical, Tudor, Spanish Colonial, and Dutch Colonial which can be found in both Residential and Commercial building types in Cape Charles. Many of the styles remain popular today and are defined by symmetry as well as uniformity and simplicity in design in contrast to many of the Victorian Styles described previously. Ornamentation is generally limited to the roofline, openings, and porches (or other projections), and reflects the history of the original style they are emulating. Colonial Revival, in particular, is one of the most popular styles to date and was fueled by nationalistic fervor at the turn of the century which was then amplified after the First World War.

Shared Period Revival Characteristics

- Rectangular plans
- Symmetrical facades
- Upper-most story is typically within the roofline
- Gabled dormers
- Chimneys either central or at one side
- Either brick or horizontal siding
- Often emphasis on the front door or entry porch
- One-story wings, carports, and/or porches at the side elevations

COLONIAL REVIVAL (1890-1950)

214 Madison Ave



218 Randolph Ave



208-210 Harbor Ave



403 Tazewell Ave

Specific Characteristics of Colonial Revival

- Hipped or Side-Gable Roof
- Flemish or Common Bond brick or horizontal siding
- Thick cornice often with dentils
- Gabled single-bay porticos or full-width hipped porches
- Brick or stone window details like keystones or jack arches

DUTCH REVIVAL (1890-1945)

8 Monroe Ave



(CPG, 2022)

Specific Characteristics of Dutch Revival

- Side Gambrel roof
- Full-width porch that may be incorporated under the main roofline or have a separate roof
- Entrances often display Georgian or Federal detailing

NEOCLASSICAL REVIVAL (1890-1940)

404 Bay Ave



(CPG, 2019)

Specific Characteristics of Neoclassical Revival

- Low pitch roofs
- Red brick cladding with a white portico is common
- Classical molding is usually without embellishment and painted white
- Rounded or pedimented portico, sometimes double-height, with Tuscan or Doric order columns

TYPICAL CRAFTSMAN

10 Madison Ave



BUNGALOW FORM

10 Tazewell Ave



FOURSQUARE FORM

205 Madison Ave



PRAIRIE

511 Tazewell Ave



CRAFTSMAN (1905-1940)

Craftsman style began in California and spread across the United States, ultimately becoming one of the most dominant architectural styles that remains fashionable still today. It was a product of the Arts and Crafts Movement, guided by the philosophy of buildings expressing structure and materials honestly. This saw a celebration of hand-craftsmanship where good design was believed to be the result of the inherent beauty of natural materials. Within Cape Charles, these characteristics are seen on typical Craftsman houses, but are also associated with Bungalow and Foursquare forms. Examples of these forms and styles are found at the left.

Craftsman (and Prairie) Characteristics

- Low pitched roofs
- Will often have a single central dormer
- Extended eave overhangs
- Exposed rafter ends, brackets, purlins, and ridge beams often emphasized
- Prominent front porches which can be partial-width, full-width, or wrap-around
- Exterior cladding can be weatherboard, wood shingle, stucco, brick, or random stone
- Sash or casement windows, often with vertical muntins
- Battered wood or square porch supports on brick or stone piers

NEW DOMINION STYLES (1920-1991)

New Dominion styles in Virginia refer to architectural styles of the recent past; leading up to and right after World War II extending to the end of the Cold War in 1991. These styles were influenced by a rejection of previous styles in favor of experimentation with new technology, design, and materials. The

implementation of major transportation routes, including the construction of the Chesapeake Bay Bridge Tunnel completed in 1964, helped spread these new styles as well as make remote locations like Cape Charles accessible to a wider population. The later Colonial Revival resources could be considered New Dominion as well.

CAPE COD COTTAGE (1920-1950)

112 Randolph Ave



(CPG, 2019)

Specific Characteristics of Cape Cod Cottage

- Typically, one-and-a-half stories
- Rectangular plan
- Steeply pitched side gable roof with gabled dormers
- Little ornamentation with the exception of decorative shutters

MINIMAL TRADITIONAL (1935-1950)

628 Jefferson Ave



(CPG, 2019)

Specific Characteristics of Minimal Traditional

- Rectangular or square plan with boxy appearance
- One or one-and-a-half stories
- Intermediate pitched side gable roof with or without gabled dormers
- Closed eaves with little to no overhang
- Little ornamentation with the exception of decorative shutters

RANCH (1950-1970)**541 Madison Ave**

(CPG, 2019)

Specific Characteristics of Ranch

- One-story and emphasis on horizontal
- Roof may be low-pitched but always with deep eaves
- Minimal or simplified ornament
- Informal or rustic details and materials

NON-SPECIFIC BUILDING STYLES**MIXED STYLE****201 Madison Ave**

(CPG, 2019)

Specific Characteristics of Mixed Style

- Uses a mixture of other styles in building; no style is predominant
- Shown to the left is a Dutch Revival roof type mixed with Craftsman dormers and brick detailing along with Colonial Revival dentiled cornices

NO DISCERNIBLE STYLE**208 Monroe Ave**

(CPG, 2019)

What is "no discernible style"?

- Generally, these are simple buildings with no defining characteristics that could be linked to any specific style.
- In the NRHP, these buildings are listed as "No Discernible Style".

COMMERCIAL/INSTITUTIONAL/CIVIC

*There are only a few Institutional/Civic buildings located within the Cape Charles Historic District Overlay. They have been included in this section because they, like Commercial buildings, provide services to the community.

COMMERCIAL (1875-1940)



Although it may have characteristics akin to specific styles, the Commercial-style building of the United States is foremost a blend of function and location. The buildings, providing goods and services to the community, are typically centralized along one or two major roads of a town. Within Cape Charles, Mason Avenue was established as the commercial thoroughfare of the community early on and has remained as such to today.

TYPICAL TWO-STORY

339 Randolph Ave



TYPICAL ONE-STORY

215-217 Mason Ave



Shared Commercial Characteristics

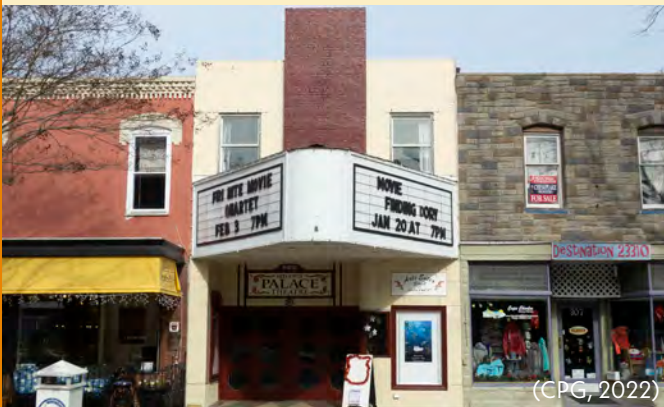
- One to two stories with rectangular plan (some three-story or higher examples)
- Prominent signage
- Typically, flat roof with a parapet
- Can use various cladding materials
- Attached to adjacent buildings
- Decorative brickwork around windows, doors, string courses, parapet as well as wall panels

ART DECO (1925-1940)**2 Plum St (Institutional Building)**

(CPG, 2019)

Specific Characteristics of Art Deco

- Emphasis on abstract geometric forms and verticality
- Ornament is either sharply angular or curvilinear
- Ornament is concentrated around doors, windows, string courses, and parapets

ART MODERNE (1925-1940)**305 Mason Ave**

(CPG, 2022)

Specific Characteristics of Art Moderne

- Emphasis on smooth, rounded forms and surfaces
- Smooth, plaster walls
- Chrome and steel details
- Rounded corners
- Terrazzo floor entrances

GEORGIAN REVIVAL (1890-1950)**299 Randolph Ave (Institutional Building)**

(CPG, 2019)

Specific Characteristics of Georgian Revival

- Rectangular, boxy massing
- Balanced, symmetrical facades
- Projections are kept to a minimum
- Dormer windows, usually at least three
- Hipped roofs often topped by a flat deck with a balustrade or parapet
- Central entrance with classical detailing

ITALIANATE (1835-1905)

239 Mason Ave



(CPG, 2022)

Specific Characteristics of Italianate

- Symmetrical massing
- Heavy, overhanging cornices with decorative brackets
- May have corner quoins
- Half-rounded upper windows with decorative brick or stone lintels

NEOCLASSICAL REVIVAL (1880-1940)

201 Mason Ave (Institutional Building)



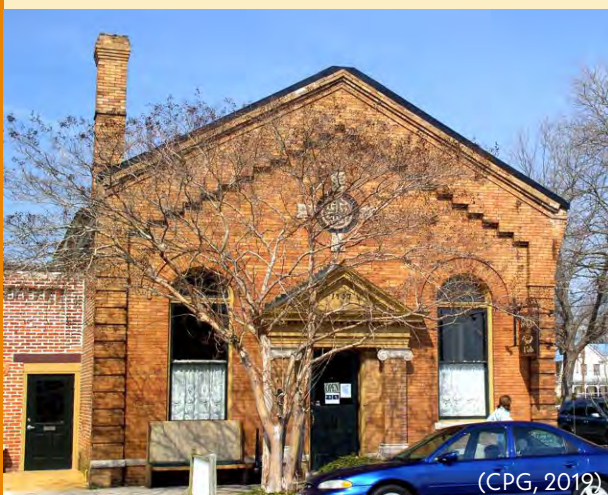
(CPG, 2022)

Specific Characteristics of Neoclassical Revival

- Broad umbrella term which encompasses all classical architecture between 1880s-1940s
- Use of classical orders
- Typically, brick siding
- Symmetrical features

RICHARDSONIAN ROMANESQUE (1840-1900)

301 Mason Ave



(CPG, 2019)

Specific Characteristics of Richardsonian Romanesque

- Arches, lintels, and other structural members are often executed in masonry of contrasting colors and textures
- Recessed windows; usually with rounded arches
- Decorative brick and stone patterning

SPANISH COLONIAL REVIVAL (1890-1940)**649 Mason Ave**Specific Characteristics of Spanish Colonial Revival

- Symmetrical and asymmetrical facades
- Typically has brick siding
- Curvilinear parapets, usually with red tiles
- Decorative brickwork emphasizes windows and doors

TUDOR REVIVAL (1890-1940)**401 Mason Ave**Specific Characteristics of Tudor Revival

- Steeply-pitched gable slate roof
- Tall chimneys
- Rusticated brickwork
- Narrow casement windows
- Rounded-arched doorways

RELIGIOUS

GOTHIC REVIVAL (1835-1940)

500 Tazewell Ave



109 Plum St



301 Madison Ave



501 Nectarine St

Specific Characteristics of Gothic Revival

- Roofs cross gable with a prominent central front gable
- Steeply-pitched gables
- Exposed rafter ends or sheathed rafters parallel to the roof
- Gothic, or pointed, arched windows
- Window tracery
- Colored glass
- Can have batten doors or simple panel doors
- Gothic- or Tudor-arched doorways

FOLK VICTORIAN (1870-1915)

511 Jefferson Ave



(Douglas W. Reynolds, Jr., 2016)

Specific Characteristics of Folk Victorian

- Symmetrical massing
- Simple upper window surrounds
- Ornament is confined to the cornice and windows

NO DISCERNIBLE STYLE

512 Jefferson Ave



(Douglas W. Reynolds, Jr., 2016)

What is "no discernible style"?

- Generally, these are simple buildings with no defining characteristics that could be linked to any specific style.
- In the Virginia Cultural Resource Information System (VCRIS), these buildings are listed as "No Discernible Style".

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CAPE CHARLES HISTORIC DISTRICT OVERLAY DESIGN GUIDELINES

4

ROUTINE MAINTENANCE & REPAIRS

Routine maintenance of contributing buildings is critical to ensure that the historic fabric and character of a property will be retained for future generations. Proper maintenance extends the natural life of building materials, and thus reduces financial outlay in the long run. A proper cyclical maintenance plan also helps identify early signs that a building material is nearing the end of its lifespan, which enables the owner time to plan for replacement of historic materials and avoids secondary damage to the building.

***Please note: Examples found in the following chapter include best practice photographs, most of which have been found throughout Cape Charles. Any photograph that considers negative impacts to historic features is from examples outside of the town.**

4.1 GENERAL GUIDANCE RELATED TO ROUTINE MAINTENANCE & IN-KIND REPAIRS

Property owners, regardless of contributing or noncontributing status, should utilize a maintenance checklist to track materials, features, and conditions, as well as to record any repair or renovation project. Most exterior elements of buildings should be inspected on an annual basis at a minimum. Additional inspections may be necessary as the seasons change or after severe weather events. Special attention should be paid to historic character-defining features, particularly those that exhibit a high level of craftsmanship, which may be difficult to replicate if damaged or deteriorated. While this chapter is primarily for the contributing resources in the Cape Charles Historic District Overlay, these guidelines represent best practices for the maintenance of all buildings.

If damage or deterioration is discovered during routine maintenance, it may be necessary to make repairs. It is best practice to replace damaged or deteriorated elements “in kind” (with an exact physical and visual match). **If the magnitude of the repairs required triggers the need for a Certificate of Appropriateness (COA), in kind replacement will only require administrative review. If replacement in kind is not possible, the Historic District**

Review Board (HDRB) will have to review the application to ensure the proposed replacement material is appropriate and compatible with the historic building and the surrounding district. For more information on how to select appropriate alternative materials, see [Chapter 7, Alternative Materials](#). Below is a recommended maintenance schedule, and the following sections will have a sample maintenance checklist for each material. These checklists are not all-inclusive.

RECOMMENDED MAINTENANCE SCHEDULE	
Feature	Inspection Frequency
Roof	Annually: Spring/Fall; Every 5 years by a roofer
Roof Drainage	Bi-annually
Attic	Quarterly: Winter, Spring, Summer, Fall
Chimney(s)	Annually: Fall; Every 5 years by a mason
Building Perimeter	Annually: Winter (After leaves drop)
Foundation	Annually: Spring
Basement/Crawl Space	Quarterly: Winter, Spring, Summer, Fall
Exterior Walls	Annually: Spring
Porches	Annually: Spring
Windows	Annually: Spring
Entryways	Annually: Spring
Doors	Bi-annually: Spring & Fall

4.2 ROOFS

Roofs are highly visible exterior features; the details of a building's roof impart character and are directly related to its architectural style. Roof shapes, features, and materials vary greatly based on the style of the building and its date of construction.

GUIDELINES FOR ROOFS

1. Maintain the roof.
 - a. Routinely inspect roofs and roof features for signs of damage and deterioration.
 - b. Ensure roofing materials and associated elements, such as gutters, downspouts, and flashing, are in good condition, properly installed, and uninhibited from performing their function.
2. Retain the original roof shape and form.
 - a. The original pitch of the roof, eave depth, and original projections from the roof that give it its shape (including dormers and chimneys) should be maintained.
 - b. New roof features that alter the historic shape and form of the roof should be avoided; for more information see Roof Features on [page 3-4](#).

SAMPLE MAINTENANCE CHECKLIST FOR ROOFS & RELATED AREAS	
Feature	Maintenance Item
Roof - Cladding	Check that shingles/roofing material in good condition (no missing or damaged pieces)
Roof - Flashing	Check flashing for gaps or other damage
Roof - Gutters & Downspouts	Make sure all gutters and downspouts discharge water away from building
Roof - Vent Covers	Check gable and soffit vent covers for rodent and bird infiltration
Attic	Check attic for signs of roof leaks/water damage
Attic	Check for signs of rodents, bats, roaches, and termites
Attic	Ensure insulation is in place and fans still exhaust to outdoors (if applicable)



Figure 4.1 - The gutter shown above is clogged with leaves. These types of issues are easily fixed and will avoid excess water infiltration at the foundation.

3. Repair historic roofing materials and details.
 - a. Patch damaged areas with new material that matches the historic material in size, texture, and other visual qualities.
 - b. Decorative details, such as cresting, and functional details, such as gutters and downspouts, and chimneys, should be retained and repaired.
 - c. If portions of historic roof details are damaged, deteriorated, or missing, these should be repaired or replaced in kind.

4.2.1 MATERIAL-SPECIFIC GUIDANCE

Metal (stamped, shingle, standing seam)

Most metal roofs have a lifespan of 40-80 years, with many lasting longer if properly maintained. COA applications for full-scale replacement of metal roofs prior to the end of their useful lifespan should be accompanied by a letter from an experienced roofer with an explanation of why the metal roof requires replacement.

1. Retain and restore historic metal roofs.
 - a. Routinely inspect historic metal roofs for signs of damage and deterioration, including rust, corrosion, and punctures.
2. Existing coatings should be maintained to prolong a metal roof's lifespan.



Figures 4.2 A & B - The top photograph is an example of a pressed metal roof, while the bottom illustrates a metal standing seam roof.



Figure 4.3 - Often porches or one-story protrusions will have metal roofs that are different from the main roof, like the standing seam metal porch roof shown above.

- a. Repaint and recoat as necessary. Utilize a professional experienced with metal roofs to repaint or recoat the roof if the coating is failing.
 - b. Exposed metal should be refinished as soon as possible.
 - c. Avoid using elastomeric coatings, as these are not reversible.
3. Temporary repairs can be made with clear, silicone-based caulk. Do not use tar-based materials to make repairs, as it is difficult to remove.
- a. Make repairs to areas that are damaged or deteriorated to prevent or stop water infiltration. Limit replacement to damaged areas that cannot be repaired. Match patch materials to historic materials to minimize the appearance of seams or joints between the old and new materials.
 - b. Utilize a roofer experienced with metal roofs to make repairs; metal patches and repair flashings often require soldering.

requires replacement.

GUIDELINES FOR CLAY & CONCRETE TILE

1. Retain and restore historic tile roofs.
 - a. Routinely inspect historic tile roofs for signs of damage or deterioration.
2. Repair broken, cracked, or missing tiles promptly to prevent water infiltration.
 - a. Utilize a roofer experienced with tile roofs for repair work.
 - b. Undertake repairs (over replacement) if problems are localized and the roof is not near the end of its useful life. Note: If 20% or more of the tiles on an overall roof are damaged or missing it is generally more cost effective to replace the roof rather than make repairs. In this instance, it is acceptable to replace in kind with new tile to match the historic.
3. New tiles used to make repairs should match the historic in type, color, size, shape, and overall pattern. Provide a

Clay & Concrete Tile

Clay tile roofs have a lifespan of 100+ years; proposals for full-scale replacement prior to the end of their useful lifespan should be accompanied by a letter from an experienced roofer with information about why the tile roof



Figure 4.4 - Clay tile roofs are rare in Cape Charles, adding a special feature to the Historic District Overlay.

photograph of the historic tiles and proposed new tiles side by side.

Slate

Slate roofs have a lifespan of 60-100+ years; proposals for full-scale replacement prior to the end of their useful lifespan should be accompanied by a letter from an experienced roofer with information about why the slate roof requires replacement.

GUIDELINES FOR SLATE

1. Retain and restore historic slate roofs.
 - a. Routinely inspect historic slate roofs for signs of damage or deterioration.
2. Repair broken, cracked, or missing slate promptly to prevent water infiltration.
 - a. Utilize a roofer experienced with slate for repair work.
 - b. Undertake repairs (over replacement) if problems are localized and the roof is not near the end of its useful life. Note: If 20% or more of the slate on an overall roof are damaged or missing it is generally more cost effective to replace the roof rather than make repairs. In this instance, it is acceptable to replace in kind with new tile to match the historic.
 - c. New slate used to make repairs should match the historic in type, color, size, shape, and overall pattern. Provide a photograph of the historic slate and proposed new slate

side by side.

3. Ensure associated repair materials (nails, flashings, etc) have a lifespan comparable to that of the new slate and are compatible for use to avoid galvanic action, which accelerates corrosion. Typically, copper is an appropriate choice as it is durable and requires little maintenance.

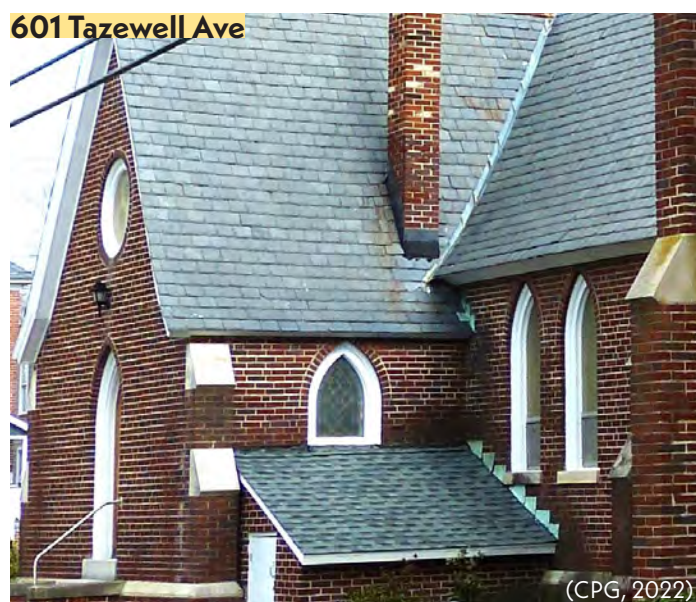


Figure 4.5 - The difference between slate shingles at the top roof and modern architectural shingles at the lower shed roof is illustrated in the above photograph.

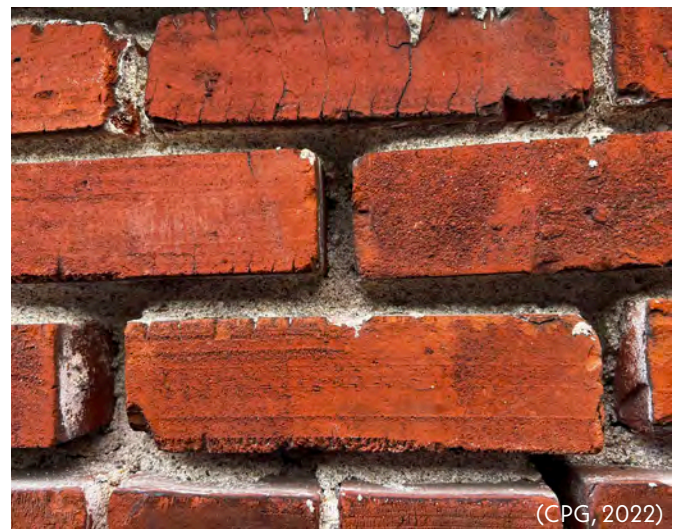
4.3 MASONRY - EXTERIOR WALLS, FOUNDATIONS, & CHIMNEYS

Masonry refers to brick, stone, concrete block, mortar, and stucco. It is often used on exterior walls, chimneys, and foundations. Masonry materials are extremely durable, but when repairs are necessary, the use of the wrong repair material can damage the masonry over time. A qualified mason should be employed to undertake any necessary masonry repairs to avoid causing additional damage.

GUIDELINES FOR MASONRY

1. Routinely inspect masonry and mortar for signs of damage or deterioration.
 - a. Make note of areas of cracking, missing mortar, surface spalling, and efflorescence, as this can be a sign of moisture infiltration.
2. Retain and restore historic materials.
 - a. Only replace historic material in areas of damage or deterioration. Do not remove historic materials that are in a salvageable condition.
 - b. Hire a qualified mason to undertake any masonry repairs or mortar repointing.
 - c. New mortar should match the color, strength, composition, joint profile, and tooling pattern of the historic mortar. Similarly, new masonry units should be selected to match the color and size of the historic masonry.
 - d. Use vapor-permeable products to

SAMPLE MAINTENANCE CHECKLIST FOR EXTERIOR WALLS, FOUNDATIONS, & CHIMNEYS	
Feature	Maintenance Item
Masonry General	If needed, gently clean masonry with warm water wash (no more than 300 psi)
Masonry Walls & Foundations	Check masonry wall and foundation for cracks in mortar or bricks and make necessary repairs
Foundation	Check for structural failure like sagging or leaning piers
Chimneys	Check chimney for damage or cracks in mortar and clean fireplace flue if needed *Cracks and missing mortar are expected; check for cracks in bricks and if found, determine and address the cause prior to repair



(CPG, 2022)

Figure 4.6 - Mortar is a sacrificial material that will deteriorate over time. It is important to check for areas in need of repointing before the structure of the building is compromised.

repair hairline cracks.

- e. When necessary, clean the wall surface using the gentlest means possible; avoid power washing. If required, use a light warm water wash, using no more than 300 psi.

- ii. Chimneys should be inspected and cleaned by a professional chimney sweep on an annual basis.

4.3.1 OTHER MASONRY FEATURES

1. Foundations

- a. Routinely inspect foundations for signs of damage or deterioration.
 - i. In particular, look for evidence of structural failure at the foundation, such as step cracking or sagging or leaning piers.
- b. Ensure water is being adequately shed from the roof and away from the foundation. Use gutters and downspouts to move water away from foundations and slope the ground for outward water flow.

2. Chimneys

- a. Routinely inspect chimneys for signs of deterioration.
 - i. In particular, look for evidence of structural failure at the base of the chimney, such as step cracking or mortar loss, as well as at the top of the chimney, as evidenced by missing or damaged materials or a lean in the portion of the chimney above the roofline.



Figure 4.7 - Brick has surface layer, the brick face, that protects the softer, inside portion of the brick. When the brick face is damaged, which can occur when pressure washing at a high psi, spalling (shown above) occurs. The result is compromised bricks that flake and break away. When masonry requires cleaning, use a pressure of no more than 300 psi.



Figure 4.8 - Differing material strengths can often have a negative effect on existing materials. Here, a modern manufactured brick chimney top was added to a historic chimney and has since collapsed at the meeting joint of softer historic and harder modern material.

4.4 WOODWORK - EXTERIOR WALL, DECORATIVE TRIM, & PORCHES

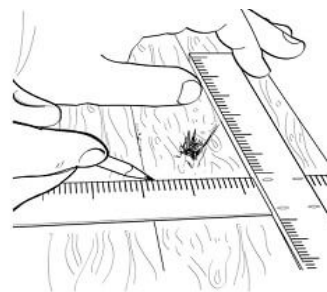
Woodwork is commonly found on wall cladding, decorative trim, and porches. Wall cladding can include horizontal siding, board and batten, and shakes. Decorative trim, such as gingerbread trim, is usually found on the porch or roof eaves, but can also be located around openings too. Care should be taken on a cyclical maintenance schedule to locate rot and possible termite infestation.

GUIDELINES FOR WOODWORK

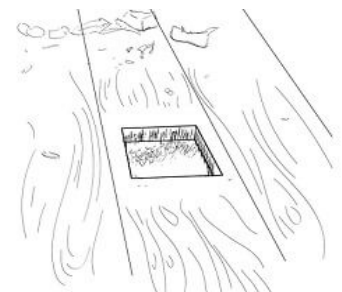
Siding and Trim

1. Retain and repair historic wood siding, trim and decorative ornamentation to the maximum extent possible.
 - a. Use an epoxy wood filler to repair areas of minor, non-structural damage. For larger areas, use a Dutchman patch.
 - b. Remove only the portion of trim or ornamentation that is damaged or deteriorated. Replace with a matching piece that can be seamlessly installed and paint over to hide the joint line between the old and new pieces.
 - c. Limit replacement to the individual pieces that cannot be salvaged. A single rotted trim board or bracket does not necessitate the wholesale

SAMPLE MAINTENANCE CHECKLIST FOR WOODWORK, DECORATIVE TRIM, & PORCHES	
Feature	Maintenance Item
Woodwork General	Check for damage from insects, rodents, and birds; repair as needed
Woodwork General	If needed, gently clean masonry with warm water wash (no more than 300 psi)
Woodwork General	Check for paint deterioration and chips; sand and repaint as necessary
Porches	Check for structural failure of roof supports (e.g. failing columns or leaning masonry piers)



Step 1: Measure the damaged spot



Step 2: Remove the rotten area



Step 3: Fit a new block of wood in the hole



Step 4: Chisel and sand the edges until even

Figure 4.9 - From the "This Old House" publication, the above illustrates the basic steps to a Dutchman patch.

replacement of all trim boards or brackets.

2. Routinely inspect for signs of damage or deterioration.
 - a. When necessary, clean exterior wood trim and decorative ornamentation using the gentlest means possible; avoid power washing. If required, use a light warm water wash (no more than 300 psi).
3. Repaint as necessary. Bare wood should not be exposed and should be covered as soon as possible to prevent decay, following the necessary curing period. Built-up and loose paint should be removed by mechanical means (scraping) and an appropriate primer should be used prior to repainting.
4. Only replace areas of wood siding and trim that cannot be repaired; match the dimensions and profile of the surrounding wood siding and details of trim and ornamentation.
 - a. Remove only the portion of siding that is damaged or deteriorated. Replace with a matching piece that can be seamlessly installed as a substitute for the removed portion and painted over to hide the joint line between the old and new portions.
 - b. Select moisture-resistant replacement wood to prevent

premature deterioration, such as accoya, cedar, cypress, or mahogany. Avoid using modern fast-growth wood, particularly softwoods, such as pine.

- c. Back-prime new wood before installing to provide more longevity and protect against moisture infiltration.



Figure 4.10 - This siding has weathered and peeling paint. It should be sanded down and repainted as soon as its deteriorating condition is noted so that the wood is not exposed to the elements.



Figure 4.11 - The siding above has been painted when the wood was either too wet or there was a high level of humidity, resulting in bubbles and peeling of new paint.

- d. Properly prepare the replacement siding and adjacent historic siding before painting; surface preparation should include scraping any existing peeling paint and gently cleaning the surface.
- 5. Replacement of historic trim and ornamentation should be in-kind if the historic material remains available.
 - a. To achieve replacement in-kind, the new material should match the historic in material, composition, shape, size, dimension, profile, location, means of installation, finish, and other visual qualities.
 - b. Select a moisture resistant wood to prevent premature deterioration, such as accoya, cedar, cypress, or mahogany. Avoid using modern fast-growth wood, particularly softwoods such as modern pine.
- 4. Repair and restore rather than replace historic porches and porch elements to the maximum extent possible.
 - a. Retain and repair character-defining features of the form of the porch, including the height, width, roof pitch and material, columns, railings, and other decorative details.
 - b. Refer to [Section 4.1](#) for guidance on Roof Repairs.
 - c. Refer to [Section 4.3.1](#) for guidance on Foundation Repairs.
 - d. Refer to [Section 4.4](#) for guidance on Exterior Wood Trim and Ornament Repairs.

Porches and Associated Features

- 1. Maintain historic porches and all components and materials of the porch to the maximum extent possible.
- 2. Routinely inspect for signs of damage or deterioration.
- 3. Repaint as necessary. Bare wood should not be exposed and should be covered as soon as possible to prevent decay, following the required curing period for repaired areas. Built-up and loose

paint should be removed by mechanical means (scraping) and an appropriate primer should be used prior to repainting.

- 4. Repair and restore rather than replace historic porches and porch elements to the maximum extent possible.
 - a. Retain and repair character-defining features of the form of the porch, including the height, width, roof pitch and material, columns, railings, and other decorative details.
 - b. Refer to [Section 4.1](#) for guidance on Roof Repairs.
 - c. Refer to [Section 4.3.1](#) for guidance on Foundation Repairs.
 - d. Refer to [Section 4.4](#) for guidance on Exterior Wood Trim and Ornament Repairs.



Figure 4.12 - While in need of minor repairs and new paint, this porch is in salvageable condition.

4.5 OPENINGS & ASSOCIATED FEATURES - WINDOWS, DOORS, & STOREFRONTS

GUIDELINES FOR OPENINGS & ASSOCIATED FEATURES

Windows

1. Routinely inspect and properly maintain historic windows.
 - a. Routine inspections should include checking for loose/rotten frames, broken glazing, signs of deterioration and areas of moisture or air infiltration. Check the frame, sash weights, cords, and all components for damage.
 - i. If damage is discovered during inspection, repair broken or missing elements as soon

SAMPLE MAINTENANCE CHECKLIST FOR WINDOWS, DOORS, & STOREFRONTS

Feature	Maintenance Item
Openings General	Check for damage from insects, rodents, and birds and repair as needed
Openings General	Check for broken window panes in windows and doors; replace panes as necessary
Doors	Check weatherstripping on doors to make sure seal is in tact
Openings - surrounding woodwork	Check for paint deterioration and chips on muntins and window/door trim; sand and repaint as necessary
Awnings	Check for holes or rips in awnings; repair as necessary



Figure 4.12 - The window at the left has been fully restored while the window at the right still needs work to be performed. Damaged and deteriorated windows can be salvaged.

as possible to avoid further deterioration. If repairs can't be made in short order, temporarily cover the window to protect the window until it can be repaired.

- ii. After repairs are made, prime and repaint windows as needed. Avoid leaving window material unpainted for more than one season, as water and sun exposure will degrade materials.
- iii. Check weatherstripping and repair or replace as necessary.
- iv. If storm windows are present, adjust as needed to ensure they are working properly. Clean weep holes to avoid trapping moisture on the sill.
- v. Routinely clean windows so that damage is apparent and deterioration can be tracked between inspections.
- b. Repair damaged historic windows and components rather than replacing them.
 - i. Identify areas of failure on window frames and sashes. Repair or replace only those components.
 - ii. If the entire window sash requires repair, remove the window and secure the opening while the

window is being repaired to avoid damage to the opening and adjacent areas of the building envelope.

- iii. Avoid wholesale replacement of historic windows.

Doors

1. Retain original doors, including screen doors if present.
2. Repair, rather than replace, historic doors.
 - a. If damage is discovered during inspection, broken or missing elements should be repaired as soon as possible to avoid further deterioration.

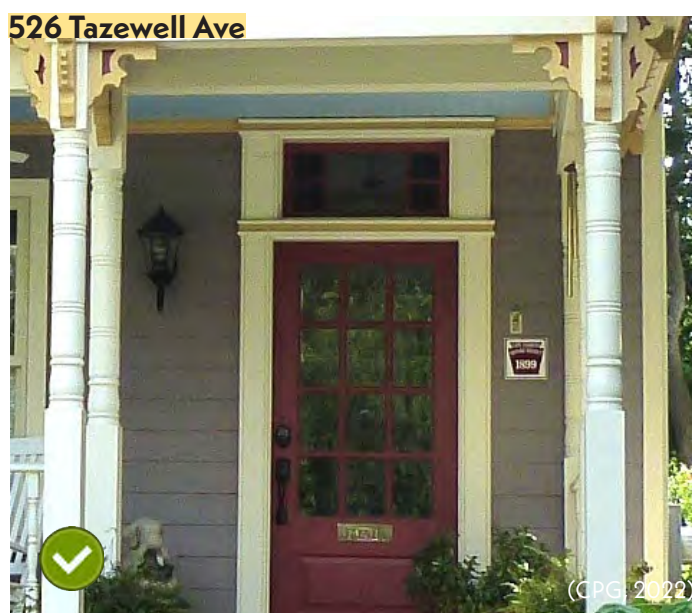


Figure 4.13 - Historic doors and their transoms should be retained and restored.

- b. Use an epoxy wood filler to repair areas of minor, non-structural damage. If a large area of the door requires repair, use a Dutchman patch.
 - c. If individual components of the door require replacement (rail or stile), splice in new pieces. New wood should be old growth or rot resistant and match the visual characteristics of the historic wood, particularly if the door is stained.
 - d. If the entire door requires repair, remove the door and secure the opening during repair to avoid damage to the opening and adjacent areas of the building envelope.
3. Weather strip historic doors to reduce air infiltration.
 4. Retain historic door features including moldings, transoms, sidelights, trim, mail slots, hinges, glass, and any other decorative or utilitarian features.
- c. Remove old caulk and re-caulk as necessary to ensure weatherproofing. Keep existing flashing secure and weathertight.
 - d. Repaint or re-stain storefront components as necessary. Exposed previously painted surfaces should be covered as soon as possible. Prep the surface to be painted to ensure adequate adhesion. Built-up and loose paint should be removed and surfaces should be primed prior to painting.
 - e. Refer to [Section 4.4](#) on Wood Trim and [Section 4.5](#) on Doors and Windows for additional maintenance guidance.

Commercial Storefront

1. Maintain historic storefronts and associated components and materials.
 - a. Routinely inspect for signs of damage or deterioration.
 - b. When necessary, clean using the gentlest means possible; avoid power washing. If required, use a light warm water wash (no more than

300 psi).



Figure 4.14 - Storefront transom windows, like the one shown above, are often painted over or covered by modern awnings that alter the historic storefront. These should be retained and repaired as necessary. If broken, a new glass pane should match the texture and size of the remaining historic panes.

2. Repair and restore historic storefronts and all associated materials, features, and components when possible; avoid wholesale replacement of historic storefront systems.
 - a. For wood components, use an epoxy wood filler to repair areas of minor, non-structural damage. Use a Dutchman patch if a larger area requires repair.
 - b. Remove only the portion of the storefront that is damaged or deteriorated and replace those portions in-kind.
 - c. For damaged glass, replace only the damaged portion and match the remaining glazing as closely as possible using clear, tempered glass. Do not use tinted glass.
- a. Visible components and decorative features should match the historic features.
3. Historic character-defining awnings or canopies should not be removed; damaged or deteriorated features should be replaced in-kind.



Awnings and Canopies

1. Routinely inspect historic awnings and canopies for signs of damage or deterioration.
 - a. Pay special attention to operable components, such as pivot points, gears, and frames.
 - b. Regularly clean fabric coverings and operable components to extend their lifespan.
2. Repair any damage or deterioration found on awning or canopy frames as it is discovered to reduce the need for wholesale replacement.

Figures 4.15: A, B, & C - Cape Charles' commercial storefronts have many unique historic entry floors. They add distinction to the district, and sometimes relay historic uses. It is important to retain these types of features at historic storefronts.

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CAPE CHARLES HISTORIC DISTRICT OVERLAY DESIGN GUIDELINES

5

PRIMARY BUILDING TREATMENT

This section of the Design Guidelines focuses on appropriate building treatment for primary buildings within the Cape Charles Historic District Overlay; this includes contributing (C) and noncontributing (NC) buildings, as well as information to guide the design of new primary buildings proposed within the district. The purpose and intent of this Cape Charles Historic District Overlay is to protect the historic character. Therefore and necessarily, these guidelines are the most restrictive to ensure the appropriate level of protection is accomplished. More invasive treatments require more scrutiny to ensure the character-defining features of the historic buildings are retained

wherever feasible; in these instances, proposals to alter character-defining historic features must be reviewed by the Historic District Review Board (HDRB).

***Please note: Examples found in the following chapter include best practice photographs, most of which have been found throughout Cape Charles. Any photograph that considers negative impacts to historic features is from examples outside of the town.**

BOARD REVIEW

5.1 REPLACEMENT GUIDELINES FOR CONTRIBUTING BUILDINGS

As discussed in [Chapter 2](#), the Design Guidelines exist to be interpreted and applied by the HDRB (and Town Council in the case of appeals) for the purpose of reviewing changes to properties within the Cape Charles Historic District Overlay. By following these guidelines, the contributing buildings within the district will continue to retain historic character. Those features that are deemed to define the historic character of each property (as outlined in [Chapter 3](#)) are especially important to protect. In order to accomplish this goal, the Design Guidelines are written in accordance with common best practices for local historic district review, utilizing the [Secretary of the Interior's Standards for Rehabilitation](#) (Standards) as a framework. These nationally recognized Standards provide allowances for alterations and additions to accommodate the continued use of a historic building, while prioritizing the retention of historic features and materials whenever feasible. While the Standards inform these guidelines, the guidelines themselves take precedence.

Chapter 5 is divided into three main sections:

- Replacement Guidelines for Contributing Buildings,
- [Noncontributing Primary Building Treatment](#), and
- [New Construction of Primary Buildings](#)

These are divided by location and material including roofs, masonry, woodwork, commercial storefronts, etc.

Information and guidelines related to accessory structures attributed to contributing buildings can be found in [Chapter 6](#).

5.2 ROOFS

Roofs are highly visible exterior features; the details of a building's roof impart character and are directly related to its architectural style. Roof shapes, features, and materials vary greatly based on the style of the building and its date of construction.

GUIDELINES FOR ROOFS

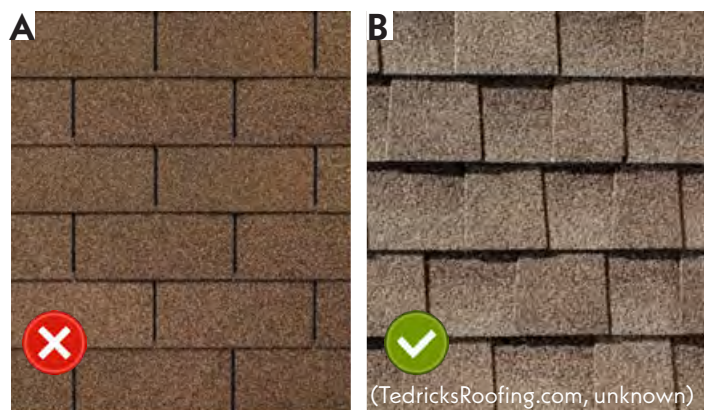
1. If replacement of the historic roofing material is necessary, replacement should be in kind.
 - a. Certificate of Appropriateness (COA) applications for full-scale replacement of historic roofs prior to the end of their useful lifespan should be accompanied by a letter from an experienced roofer with an explanation of why the roof requires replacement.
 - b. Provide photographic documentation illustrating the historic roof cannot be repaired.
 - c. If the historic material has not reached the end of its useful life (primarily in the case of clay, concrete, and slate tiles), but the roof requires replacement for other reasons (such as improper head lap, high percentage of missing or damaged tiles), salvage the tiles as feasible for reuse. Roofing tiles

Did you know?

While the typical lifespan for contemporary roofing materials like asphalt shingles is 25-30 years, historic materials are made to endure longer.

- Metal roofs typically have a lifespan of 40-80 years.
- Clay and concrete tile roofs typically have a lifespan of 100+ years
- Slate roofs typically have a lifespan of 60-100+ years.

This means replacing historic material in-kind can save you time and money over the course of your building's lifespan.



Figures 5.1 A & B - Three-tab asphalt shingle roofing (A) is a modern material. Therefore, existing asphalt shingle roofs can be replaced with more durable architectural shingles (B).

often outlive their underlayment, so if moisture infiltration is an issue, carefully remove the tiles in the area of concern to inspect and potentially replace the underlayment prior to proposing to replace the tiles.

2. If the historic roofing material is no longer available, use an alternative material that conveys a scale and texture similar to the historic material and that is otherwise visually indistinguishable from the historic material. Reference the replacement material flow chart to guide the selection of an appropriate alternative material.
 - a. Provide photographic documentation illustrating the historic roof cannot be repaired, as well as documentation of the sources checked for the historic material.
3. If the roof is not historic, then an alternative replacement material can be proposed, provided it does not detract from the character of the building.
 - a. Provide documentation showing what material historically existed on the roof.
4. Prior to replacement, inspect for sources of moisture to ensure deterioration is not being caused by disrepair or failure of other roof elements, such as worn flashing, leaking gutters, or poor attic ventilation.



(Slate Roofing Contractors Association, unknown)



(Slate Roofing Contractors Association, unknown)

Figures 5.2 A & B - Synthetic slate roofing is not an appropriate replacement material, as it has a tendency to warp (A), pucker, and bleach (B).

5.2.1 ROOF FEATURES

Roof features include historic elements, such as gutters, downspouts, dormers, chimneys, and decorative cresting. New roof features that may be considered for insertion on a contributing building in the Cape Charles Historic District Overlay include, but are not limited to, new dormers, solar panels, and satellite dishes.

GUIDELINES FOR ROOF FEATURES

1. Maintain historic roof details to the maximum extent possible.
 - a. If necessary, historic secondary chimneys at the rear of the building can be removed if they are not visible from the public right-of-way.
2. New roof features that alter the historic shape and form of the roof should be avoided.
 - a. Limit new features, penetrations, and surface-mounted utilities on historic roofs; if necessary, place new roof features on elevations that do not face the public right-of-way to minimize impacting the most visible elevations.
 - b. Place new dormers, rooftop HVAC units, satellite dishes, solar panels, and other proposed insertions in a discrete location, not visible from the public right-of-way.
 - c. Proposed new dormers should only



Figure 5.3 - The number of the new dormers and their visibility to the right-of-way make them an inappropriate addition to the roof. New features should be limited to the secondary elevations.



Figure 5.4 - Utilities should be located at the rear of the resource (as shown above) to reduce visibility if it is necessary to locate on the roof.

be considered for use on secondary elevations where they will not be visible from the public right-of-way.

- i. The design and materials for new dormers should be differentiated from the historic materials on the building to ensure that they read as modern insertions.
 - ii. New dormers should be set back from the roof edge to maintain a clear understanding of the extent and detailing of the historic roof and eaves.
3. Provide drawings (roof plans, elevations) and/or digital mock-ups of the new features of proposed rooftop features that are visible from the public right-of-way so the HDRB can adequately evaluate visual impact.

Gutters and Downspouts

1. If additional gutters and downspouts are needed to ensure water is being adequately shed from the roof, they should match the material and profile of the historic gutters. If the gutters and downspouts are modern, they should match the existing modern gutters and downspouts.
2. If gutters or downspouts did not historically exist on a building, every effort should be made to insert them

on secondary elevations; they should only be inserted on primary elevations if absolutely necessary. In all instances, gutters and downspouts should be installed in a way that does not alter the character of the building.

3. Choose a gutter form that is compatible with the style of the building.
 - a. If the existing gutters and downspouts are modern and require replacement, use traditional colonial or half-round gutters, and colonial or round downspout styles in a pre-finished metal.



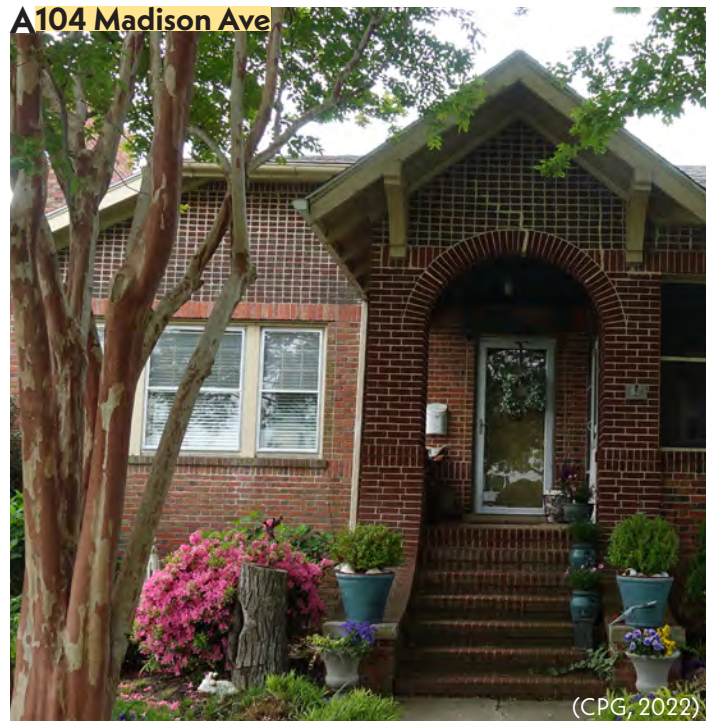
Figure 5.5 - An example of a built-in gutter in need of repair.

5.3 MASONRY - EXTERIOR WALLS, FOUNDATIONS, & CHIMNEYS

Masonry refers to brick, stone, concrete block, mortar, and stucco. It is often used on exterior walls, chimneys, and foundations. Masonry materials are extremely durable, but when repairs are necessary, the use of the wrong repair material can damage the masonry over time. A qualified mason should be employed to undertake any necessary masonry repairs to avoid causing additional damage.

GUIDELINES FOR MASONRY

1. Preserve or restore the visibility of historic masonry materials to the maximum extent possible.
 - a. If historic masonry is found underneath modern materials, remove the modern materials to re-expose the historic masonry finish.
 - b. If the historic masonry would be damaged by removing modern materials, the modern finish should be retained.
 - c. Do not install modern materials over historic masonry.
 - d. Do not remove historic masonry to facilitate the installation of modern materials.
2. If replacement in-kind is not possible, the replacement feature should be clad in a material that matches the historic masonry as closely as possible



Figures 5.6 A & B - The multiple brick designs on the residential and commercial facades above are character-defining features. They should be retained and remain uncovered.

in composition, shape, size, location, pattern, color, texture, finish, and other visual qualities.

- a. If the feature cannot be replicated using traditional materials, refer to [Chapter 7, Alternative Materials](#) for information on selecting an appropriate alternative material.
3. When historic mortar requires repointing, new mortar should match the historic in color, texture, composition, strength, joint profile, and tooling pattern.
 - a. It is typically inappropriate to use a Portland cement-based mortar in conjunction with historic masonry. Mortar should be softer than the surrounding masonry to prevent damage to the masonry. Refer to NPS's [Preservation Brief No. 2, Repointing Mortar Joints in Historic Masonry Buildings](#) for guidance.
4. If masonry units require replacement, new units should match the historic in color, texture, size, and composition.
 - a. Provide a side-by-side photograph illustrating the replacement units adjacent to the historic material. Also provide a physical sample for HDRB review.

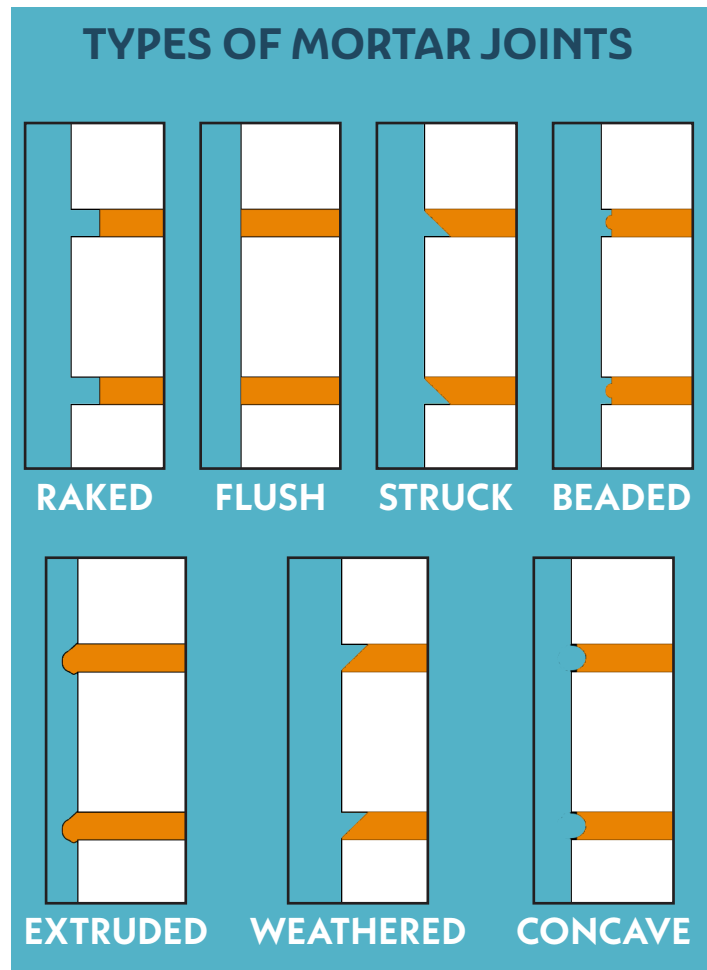


Figure 5.7 - Portland cement mortar has been applied to this historic brick wall. The hardness of the cement has caused the softer brick to compress and begin to crack and spall.

5. Masonry should never be completely replaced unless the structural integrity of the feature or assembly has been compromised. If a masonry feature must be replaced for structural reasons, it should be replaced in-kind.
 - a. To achieve replacement in kind, the new material should match the historic in material, composition, shape, size, location, pattern, color, texture, finish, and other visual qualities.
6. Do not permanently alter historic masonry.
 - a. Unpainted masonry should remain unpainted; if previously painted, it may be repainted after careful planning and proper surface preparation. For information related to the appropriateness of murals on contributing buildings, see [Chapter 9, Site Features and Appurtenances](#).
 - i. Gently remove any flaking or peeling paint to a sound substrate to achieve a good paint bond.
 - ii. Clean the wall surface using the gentlest means possible and allow to dry completely before painting.
 - iii. Repaint with appropriate products. Ensure the paint type is compatible with the existing paint or properly primed to avoid failure of the new paint.

Did you know?

Although it is extremely popular to paint unpainted masonry, it should remain unpainted. Brick is a porous material that retains moisture through humidity, rain, or groundwater traveling up through the brick (also called rising damp). It also releases this moisture, or “breathes”, through its porous surface. When trapped behind a layer of paint, the moisture builds up and will follow the path of least resistance, which can push moisture to the interior of the masonry wall, leading to damage.



Follow the manufacturer's recommendations for number of coats, dry time between coats, and any temperature parameters to ensure proper adhesion.

- b. Do not apply waterproofing coatings to masonry. These coatings trap moisture in the masonry which increases deterioration. If deemed necessary, a clear, matte, vapor-permeable water repellent may be deemed appropriate, provided it does not change the appearance of the masonry.
- c. Do not drill directly into historic masonry units; attachments and connections should be made through mortar joints to maintain the integrity and water-resistant characteristics of the masonry.
 - i. Mortar is a sacrificial material, meaning it is designed to be lost and replaced over time, in order to protect the structural stability and material integrity of the masonry units.

5.3.1 OTHER MASONRY MATERIALS

Stucco

Stucco is a type of exterior plaster applied directly to masonry or over wood or metal lath to a frame wall. In some instances, stucco is applied with a smooth finish

and scored to imitate other exterior wall materials, most frequently stone. For more information about stucco, including guidance on appropriate repairs for historic stucco, see [Preservation Brief No. 22, The Preservation of Historic Stucco](#).

GUIDELINES FOR STUCCO

1. If stucco replacement is deemed necessary, ensure the stucco mix and applied texture match the historic material.
 - a. Hard coat stucco is acceptable.
 - b. Exterior Insulation Finishing System (EIFS) is not an appropriate replacement or repair material for historic stucco due to concerns related to durability, particularly in wet environments.



Figure 5.8 - Cape Charles has few examples of extensive stucco work. A rare example is shown above.

5.3.2 OTHER MASONRY FEATURES

Foundations

Foundations serve a very important utilitarian function by holding and securing all structural components of a building. Most residential foundations in the Cape Charles Historic District Overlay are pier and beam, and are an element of the historic character of these buildings. The height of the foundation has a profound impact on the design, form, and mass of the entire building.

GUIDELINES FOR FOUNDATIONS

1. New foundation features, such as vents or access hatches, should be contemporary yet compatible so they read as modern insertions.
2. Infill between piers should be reversible, unless a solid infill is required. If the void between piers is required to be filled to enhance the structural stability of the building, infill should be differentiated in material and recessed to mark the historic voids.
3. Guidance for foundation treatment if a building is approved for elevation can be found in [Chapter 8, Flood Mitigation](#).

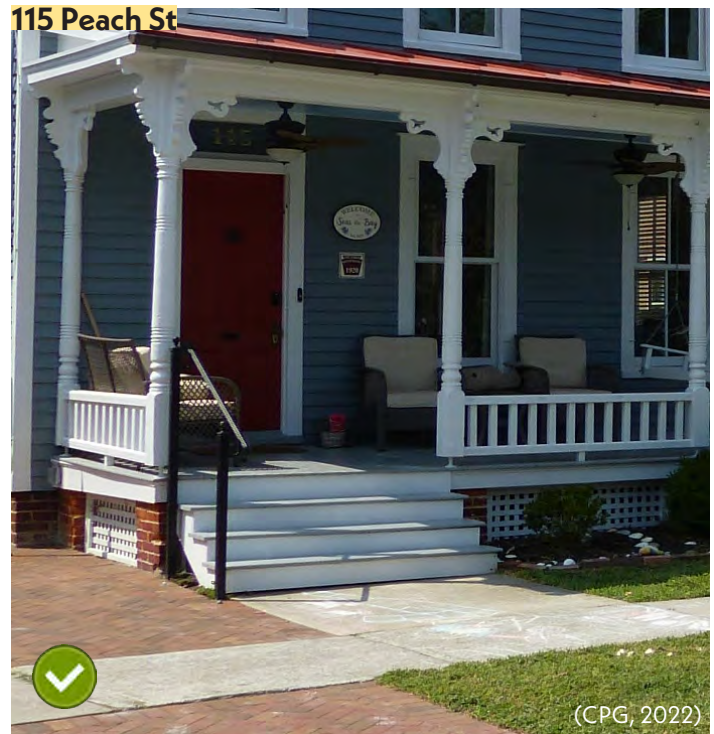


Figure 5.9 - The voids between piers on this porch have been infilled with a reversible lattice screening. (CPG, 2022)

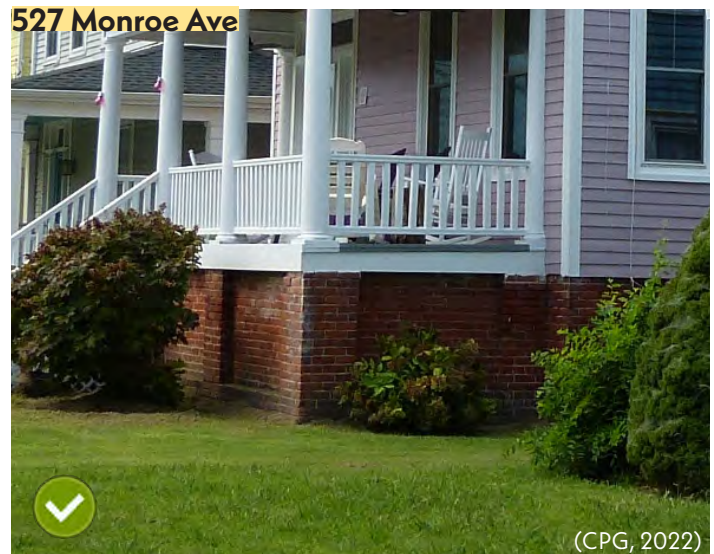


Figure 5.10 - An example of a solid infill to provide additional structural stability. It is recessed between the piers to mark the historic voids. (CPG, 2022)

Chimneys

Chimneys serve an important utilitarian function by providing ventilation for both fireplaces and stoves. While the placement and material treatment of chimneys can vary greatly across architectural styles, fireplace chimneys are typically a highly visible feature that define the character of the roofline and provide an important visual contrast against the material and orientation of wall and roof cladding. In contrast, kitchen chimneys are often set in the rear of a dwelling and are typically of lower stature and less ornate in character.

GUIDELINES FOR CHIMNEYS

1. Retain and repair historic chimneys to the maximum extent possible.
 - a. Install chimney caps that do not change the character of the historic chimney to protect the flue from rain, debris, and animals.
2. In limited circumstances, chimneys may be removed.
 - a. Primary chimneys or those visible from the public right-of-way may only be removed if they are structurally unsound. Proposals for the removal of historic primary chimneys must be accompanied by a certified letter from a structural engineer, as well as information on how the resulting void will be patched.
 - b. Secondary chimneys may be proposed for removal if they are not visible from the public right-of-way or if they do not impart historic character on the building. Proposals for the removal of historic secondary chimneys must be accompanied by information on how the resulting void will be patched.



Figure 5.11 - The primary chimney (left) should be retained as long as it is structurally sound. The secondary chimney (right) may be proposed for removal as it is secondary and not visible from the public right-of-way.

5.4 WOODWORK - EXTERIOR WALLS, DECORATIVE TRIM, & PORCHES

Exterior woodwork includes siding, porches, trim, and decorative detailing, making it a critical category for maintenance and care for the Cape Charles Historic District Overlay. In addition to defining the architectural style and conveying the historic period of construction for a building, the features tend to be constructed of material that is more durable, rot resistant, and sustainable compared to their contemporary counterparts.

5.4.1 WOOD SIDING & TRIM

Wood siding is the most common exterior wall surface within the Cape Charles Historic District Overlay. Wood siding on older buildings is usually of much higher quality, due to its density, than the majority of wood materials currently available.

Although comprising smaller building elements, trim and ornamentation play an important role in defining building character and reinforcing architectural style; trim locations and dimensions are important design characteristics. The level of ornamentation, combined with the type and placement of ornamentation, not only serve to help identify the age and style of a building, but also provide a record of the quality of craftsmanship available at the time the building was constructed.

611 Tazewell Ave



(CPG, 2022)

Figure 5.12 - There are many types of wood siding including horizontal boards and wood shingles.

The preservation of ornamentation, such as decorative brackets or spindlework, is particularly vital as these features are not easily reproduced.

GUIDELINES FOR WOOD SIDING & TRIM

1. Maintain historic wood siding, trim, and ornamentation to the maximum extent possible.
 - a. Trim and ornamentation should not be added or deleted without adequate physical or documentary evidence.

2. If replacement in-kind is not possible, the following criteria for historic trim and ornamentation replacement applies:
 - a. Refer to [Chapter 7, Alternative Materials](#) for information on selecting an appropriate alternative material when necessary.
 - b. Replacement material must match the existing or documented historic siding, trim and ornamentation in general composition, shape, size, profile, and finish.
- c. The minimum material standards for replacement trim and siding is as follows:
 - i. Window Sill: minimum thickness of 1 ½ inches
 - ii. Window Casing or Trim: minimum thickness of 3 ½ inches
- d. Avoid wrapping historic trim or ornamentation with another material.



Figures 9.13 A & B - The rowhouse on the right retains its historic wood shingles, decorative trim, and exposed rafter tails. The rowhouse on the left has been completely covered in vinyl siding. All ornamentation has been removed and the character defining features lost to the detriment of the individual resource and character of the overall Historic District. Alternative materials should be applied thoughtfully and only when necessary.

5.4.2 PORCHES

An architectural feature on many buildings within the Cape Charles Historic District Overlay, porches convey a building's era, age, and character. Due to their highly visible location, it is important that historic front porches are retained and preserved, whereas more leniency can be applied to side and rear porches that are less visible from the public right-of-way. This section addresses the replacement of porch components, as well as the addition of new elements, such as handrails and screening.

Historically and today, porches serve an important purpose as transitional outdoor covered space and often feature decorative details indicative of architectural style. Often, property owners want to improve their porches with the addition of screening; this can be appropriate if installed in a non-invasive and reversible manner that does not permanently damage remaining historic materials. Similarly, handrails may be added for safety and porch floors may be replaced, as this feature has little impact on the historic character of the porch as viewed from the public right-of-way.

234 Randolph Ave



Figure 5.14 - Porches are an important features on many of the Cape Charles residential resources. Their historic design and details should be retained and celebrated.

GUIDELINES FOR PORCHES

1. Historic porches should only be altered, including addition, deletion, or expansion, based on documented historic conditions.
2. If structurally unsound and unsalvageable, historic porches should be replaced per the in-kind replacement guidelines found in [Chapter 4](#) and individual-character defining components should be replicated.
3. When reconstructing a missing historic porch, pictorial and physical evidence

should be used to inform the design.

- a. Absent historic photographs or physical evidence, design elements should be employed that are contemporary yet compatible to the historic building being served by the porch.
4. Do not utilize historic details on adjacent historic buildings to establish a precedent for the design of a non-extant historic porch as this creates a false historic narrative.
5. Porches should not be constructed on the primary elevations or those facing the public right-of-way of buildings that did not historically have a porch in the proposed location.
 - a. Proposed new porches can be located on secondary side or rear elevations where they are minimally visible from the public right-of-way or do not impact the historic character of the building.
 - b. When located on side or rear elevations, new porches should be scaled and placed to not detract from the contributing building and its historic features.
6. New porches should be compatible with the style and form of the existing building, but should employ simpler, contemporary features to not create a false historic narrative.



Figure 5.15 - Family photos, like above, can offer valuable insight to historic features that may have been removed. Local libraries and historical societies may have these types of resources at hand.



Figures 5.16 A & B - Proposed new porches should not be located on the primary elevation as illustrated in these before (A) and after (B) photographs.

- a. The design and construction of new porches should avoid impacting historic materials and character-defining features.

Steps and Flooring

1. Historic porch steps and flooring should be retained and restored to the maximum extent possible.
2. Replacement of historic steps and flooring should be done in-kind as feasible including matching the historic floorboard orientation. To achieve replacement in-kind, new materials should match the historic material, composition, shape, size, and other visual qualities.
 - a. When replacing an entire porch floor, ensure the new floor is sloped away from the historic building.
 - b. If replacement in kind is not possible, material selection for porch floors allows for composites or synthetics due to the microclimate of Cape Charles and the horizontal nature of porch floors, which limits the visual effect on the overall historic character of a building.

Handrails

1. Historic porch handrails and balustrades should be retained and restored.

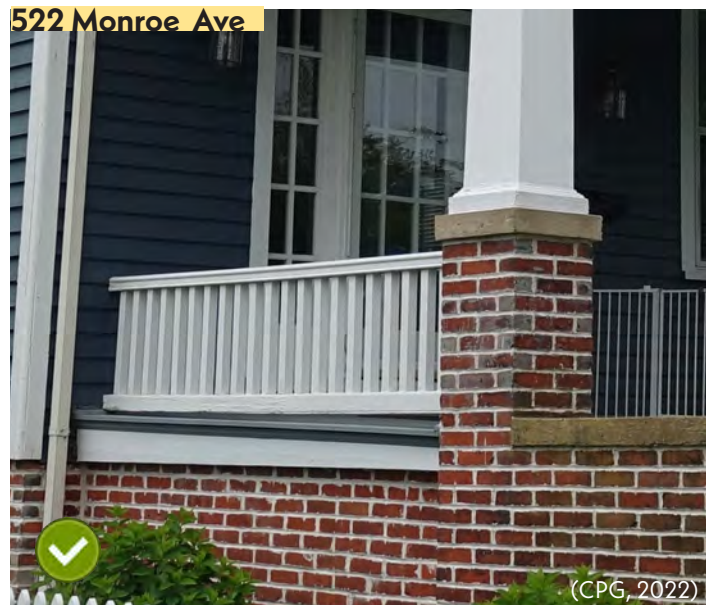


Figure 5.17 - The porch in the above photograph has a gentle slope going away from the building to help keep water infiltration from occurring.



Figure 5.18 - Decorative ornamentation that is damaged or deteriorated should be replaced in-kind. Replacement materials of a different design change the appearance and character of a building, which is not appropriate.

- a. If portions of handrails or balustrades are missing or damaged, they should be replicated and replaced in-kind.
2. If a porch no longer has a handrail, but there is evidence a handrail was previously in place, the historic handrail should be replicated based on pictorial or physical evidence. If no historic or pictorial evidence remains, or if no handrail existed historically and is required for fall protection, use a contemporary compatible Richmond rail or a simple metal rail.

Screening

1. Unscreened front porches should not be screened unless it is demonstrated that the addition of screening will not have an adverse impact on the character of the building or any historic porch features and materials.
 - a. Screens must be set within the interior of the porch and any framing should be aligned behind the porch columns and railing to limit the physical impact to historic porch elements and visual impact of the screening.
2. Porches on secondary elevations of historic buildings may be screened or enclosed in adherence to the following

criteria:

- a. The enclosing wall and materials are set back from the structural members of the historic porch to ensure that all porch details remain intact and visible.
- b. The enclosure wall should retain a high-degree of transparency to maintain the character of the historic porch.
- c. The materials should be compatible with the materials used on the historic building.



(rva.gov, unknown)

Figure 5.19 - An example a Richmond rail used on the step railing; historic balustrade in the background.



(National Park Service, unknown)

Figure 5.20 - The screen in the above photograph is appropriately set behind the historic porch details.

5.5 OPENINGS & ASSOCIATED FEATURES - WINDOWS, DOORS, & STOREFRONTS

Historic openings, including door and window openings, and their associated features should be retained in order to maintain a building's historic character and material integrity. The size, type, function, and configuration of historic doors, windows, and storefronts are important aspects of character and convey a building's architectural style.

5.5.1 WINDOWS

Windows are major elements in the appearance of a building. The arrangement, usage, and variety of windows on a building (known as its fenestration) defines a building's character and style; a building's transparency, solid-to-void proportions and visual connections between outdoor and indoor spaces are all dependent on its fenestration.

Additionally, the details of window shape, size, location, glass divisions, and surrounding features also impart character and assist in defining architectural style. As such, windows are inherently character-defining features and should be retained.

GUIDELINES FOR WINDOWS

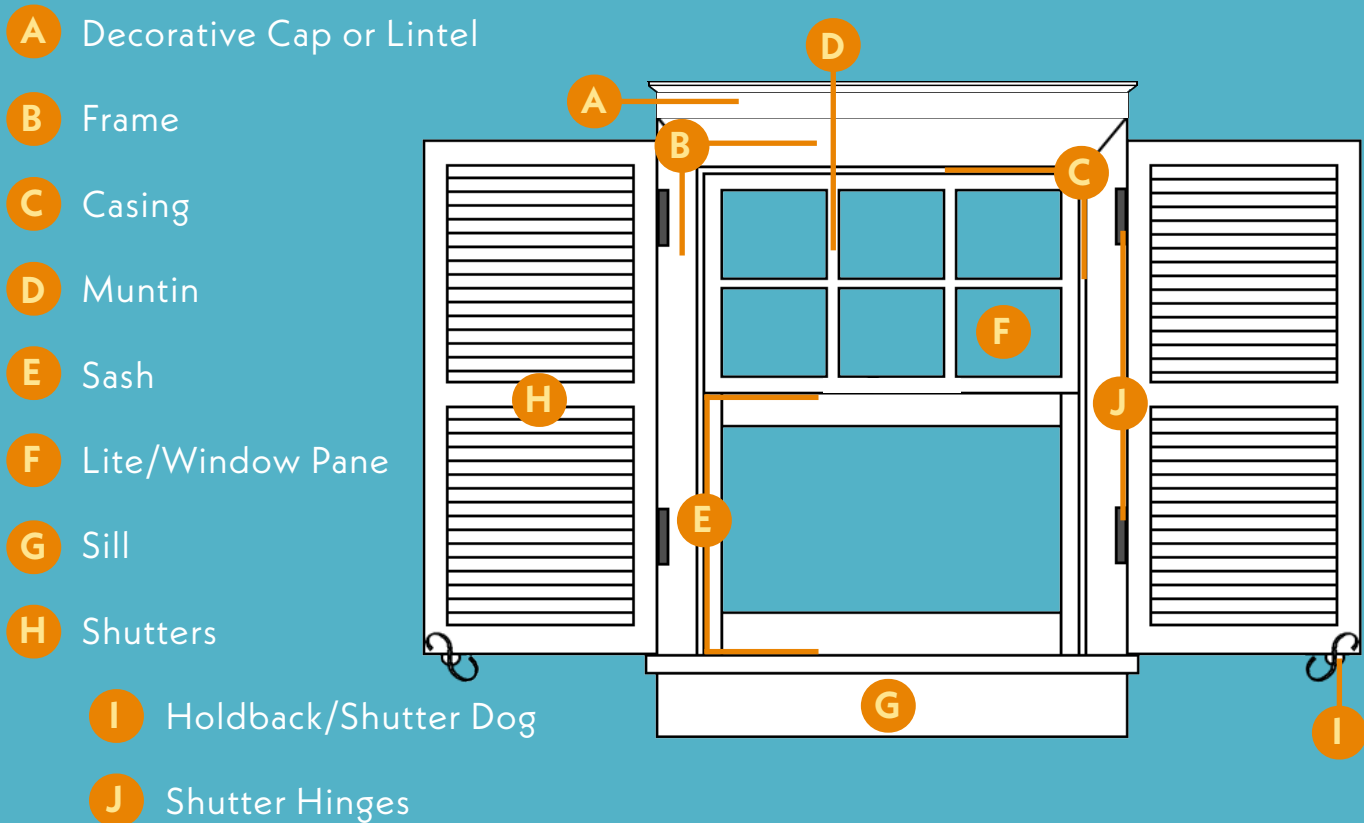
1. Only replace historic windows that cannot be salvaged; avoid wholesale replacement of historic windows.



Figures 5.21 A & B - Cape Charles has a wide variety of historic window designs and features, both to residential and commercial resources. These should be retained and maintained.

COMMON EXTERIOR WINDOW COMPONENTS

The diagram below illustrates common window components most often found within the Cape Charles Historic District Overlay. Not every window will have all the identified components and some may have more elaborate features.



2. If a historic window needs to be replaced, match the historic window in size, dimensions, configuration, and materials. This should include utilizing replacement windows that have 3D muntins with internal spacer bars between the glass to achieve a simulated divided light.

a. Provide detailed photographic documentation of deterioration of each window proposed for

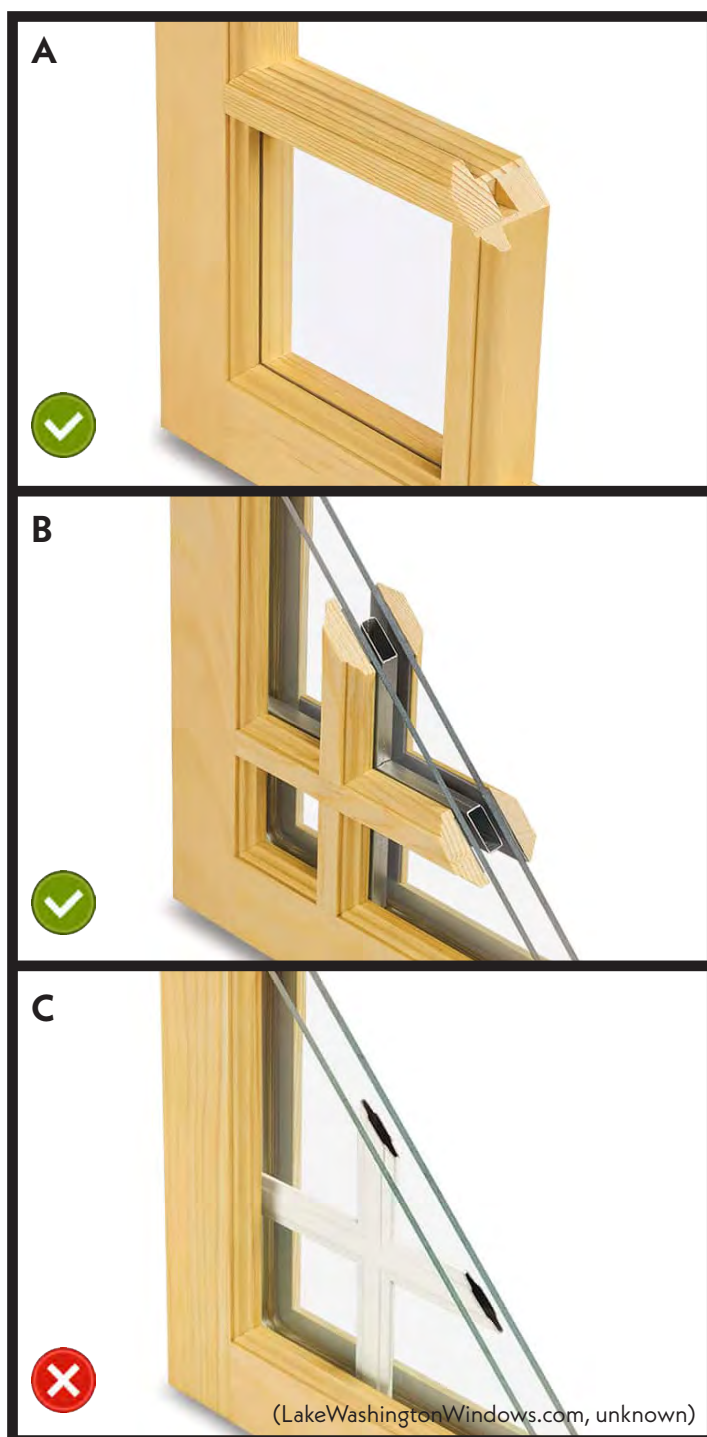
replacement to the HDRB.

- b. Provide dimensioned drawings of the existing historic windows and the proposed replacement windows to illustrate they match.
- c. If a single window requires replacement and it is in close proximity to a historic window that will be retained, the window should be replicated exactly.

3. If non-historic windows are in place and require replacement, use a documented historic configuration if possible. If the historic configuration is unknown, consider replacing with a design that is appropriate to the architectural style and period of the building's construction. Refer to [Chapter 3](#) for style guidance.
4. The size of the historic opening should not be modified as a result of or to accommodate window replacement.
5. Historic window openings should not be modified or eliminated to accommodate interior changes.

Shutters

1. Retain and repair historic wood shutters.
2. If historic shutters are missing or there is evidence that shutters previously existed on the building, shutters may be reinstated.
 - a. Shutters should be operable where feasible. If fixed shutters are used, they should be installed in a manner which appears operable (within the window frame, rather on the exterior wall, and on projecting fixed hinges).
 - b. Shutters should be sized appropriately for the window and opening. Even if fixed, shutters should be sized so that if they were operable, they would adequately cover and protect the window.



Figures 5.22 A, B, & C - The top photograph illustrates an authentic divided light (ADL) window, while the middle shows a simulated divided light (SDL) that appropriately mimics the first. The lower photograph is a grille between glass (GBG). These appear flat and do not appropriately mimic an ADL, and if the grille breaks, the whole window must be replaced.



Figure 5.23 - The shutters above are clearly operable with hinges and holdbacks. They also protrude slightly away from the wall, showing depth. These are appropriate shutters for a historic building.

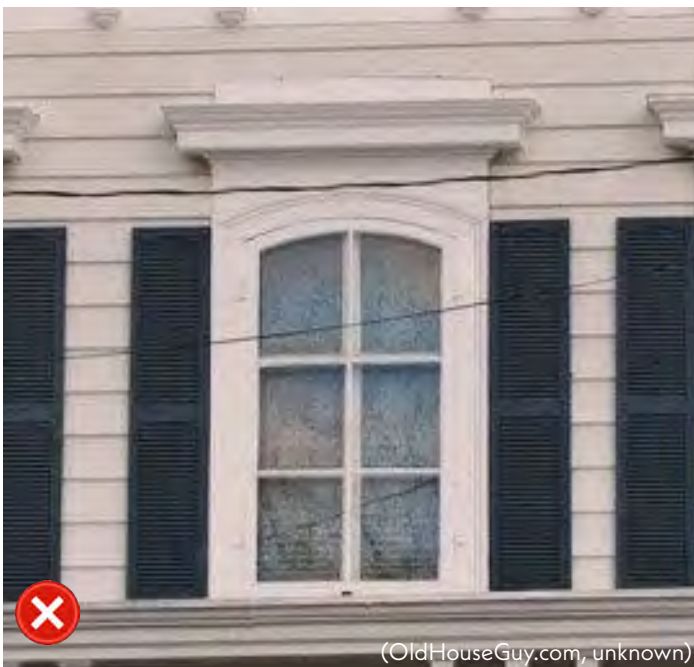


Figure 5.24 - An example of fixed shutters that are inappropriate for a historic resource. They are flat, mounted outside of the frame, do not match the shape of the window, and would not cover the width of the window if closed.

- c. Do not install shutters on buildings, or on specific windows, that did not historically have shutters.

Storm Windows

1. When considering the addition of storm windows, minimize the visual and physical impact on the historic building and associated building features and components.
 - a. Due to local climate and weather conditions, exterior storm windows are recommended to protect historic windows. Use a frame and meeting rail that aligns with and is narrower than the historic window frame to reduce the visibility of the storm window.
 - b. Paint the frame the same color as the window to further reduce visual impact.
 - c. Aluminum storm windows should have a baked enamel finish to match surrounding trim.
2. Interior storm windows may be installed without a COA.



Figure 5.25 - These storm windows have a frame and meeting rail that matches the window, as well as paint color that matches the wood frame.

5.5.2 DOORS

Exterior doors, particularly at primary entrances on the façade, are important functional and decorative elements which help to identify the age and style of a building, as well as impart character.

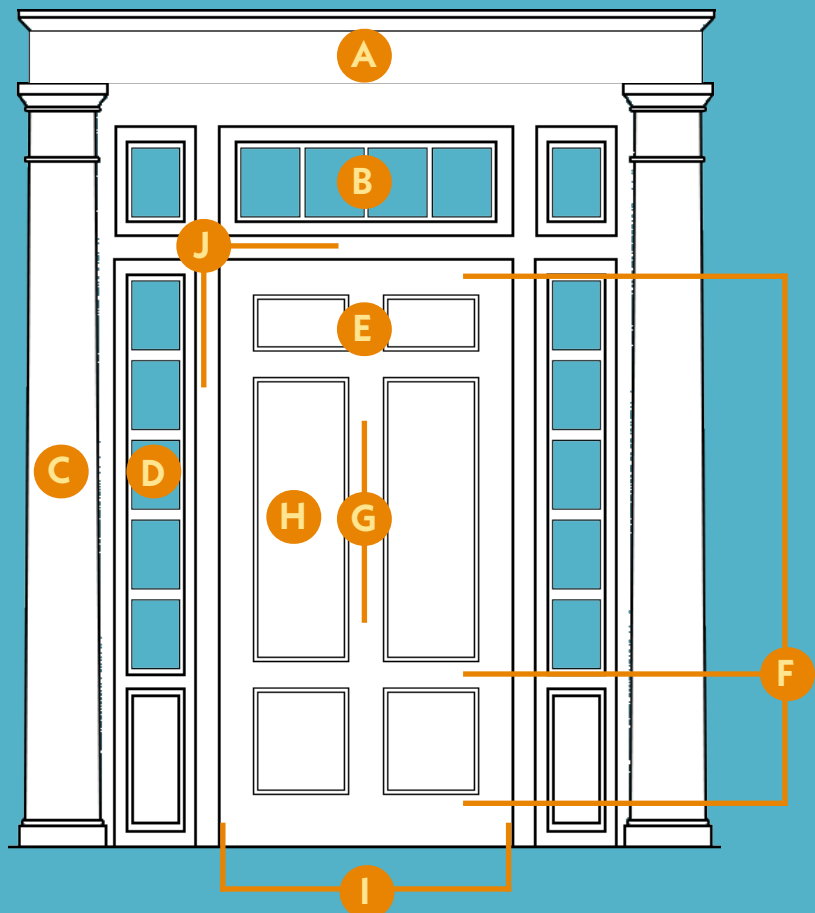
GUIDELINES FOR DOORS

1. If a historic door is damaged or deteriorated beyond repair, it should be replaced in-kind.
- a. To achieve in-kind replacement, new doors must match the historic doors in material, composition, style, size, profile, glass usage and glazing type, finish, hardware usage and material, and other visual qualities.
2. Existing modern doors can be replaced with a different door style, provided it is compatible with the style of the building.

COMMON EXTERIOR DOOR COMPONENTS

The diagram below illustrates common exterior door components most often found within the Cape Charles Historic District Overlay. Not every door will have all the identified components and some may have more elaborate features.

- A** Entablature
- B** Transom
- C** Column
- D** Sidelights
- E** Door
- F** Rails
- G** Muntin
- H** Panel
- I** Stiles
- J** Frame/Casing



3. Only replace historic doors that cannot be repaired; avoid wholesale replacement of all historic doors in a building.
4. If replacement in-kind is not possible, the following criteria for historic door replacement applies:
 - a. Replacement doors should match the historic doors as closely as possible in general composition, shape, size, profile, glass usage, pane division, muntin type, glazing, texture, and finish.
 - a. Replacement should be limited to the door itself to reduce the replacement of historic fabric and impacts to the building envelope.
5. The size of the historic door opening should not be modified as a result of or to accommodate door replacement.
 - a. Replacement should be of the door itself; do not use pre-hung doors as this will reduce the size of the door opening.
6. If the existing door is modern and the historic door design and configuration is unknown, select an appropriate replacement style that is compatible with the era and style of the building. In this case the window or door can be replaced with a modern material; refer to [Chapter 7, Alternative Materials](#), for information on selecting an appropriate

replacement material.

7. Historic door openings should not be modified or eliminated to accommodate interior changes.



Figures 5.26 A & B - In-kind door replacements should have appropriate features that match the historic style of the house. The door at the top (A) would be more suited for a Colonial Revival or Victorian style house, whereas the door at the bottom (B) would be appropriate for a Craftsman style house.

Screen and Storm Doors

1. Storm and screen door additions should minimize any obstruction of the door design and details.
2. Storm and screen doors should be compatible with the architectural style of the building.
 - a. New screen and storm doors should be wood or pre-finished metal, but should not have a metallic finish.



Figure 5.27 - This is an appropriate metal storm door that has a finish matching the trim and minimizes obstruction of the door design.

5.5.3 COMMERCIAL STOREFRONTS

For historic commercial buildings, storefronts are often the most character-defining feature of the façade. Storefront assemblies include a variety of features such as windows, transoms, entry doors, supporting columns, piers, or pilasters, cornices, and typically various decorative elements. Materials can include wood, masonry, metal, glass, and tile. Transoms, awnings and canopies are common features of storefronts and act as a climate control solution, as well as a branding and marketing opportunity. The diversity of storefront types and commercial building styles along Mason Avenue give the commercial corridor its character and convey the developmental history of this portion of the Cape Charles Historic District Overlay.

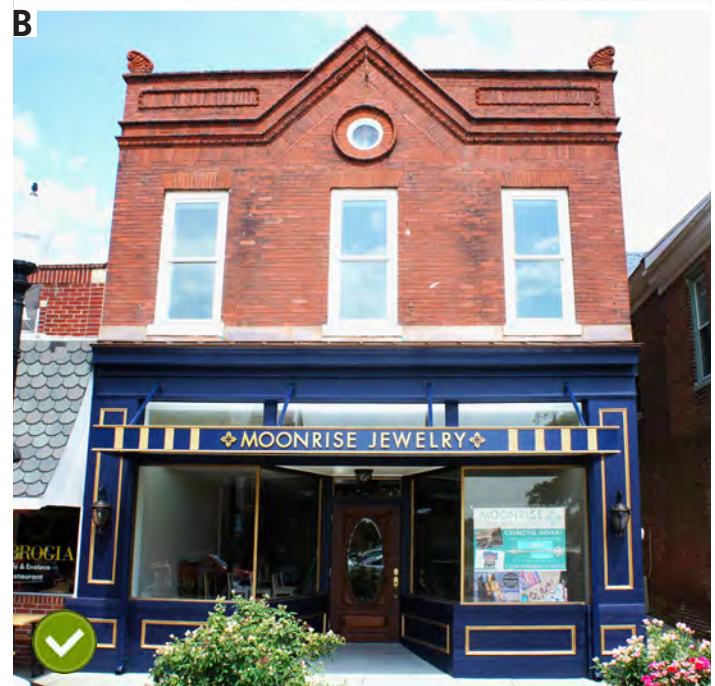
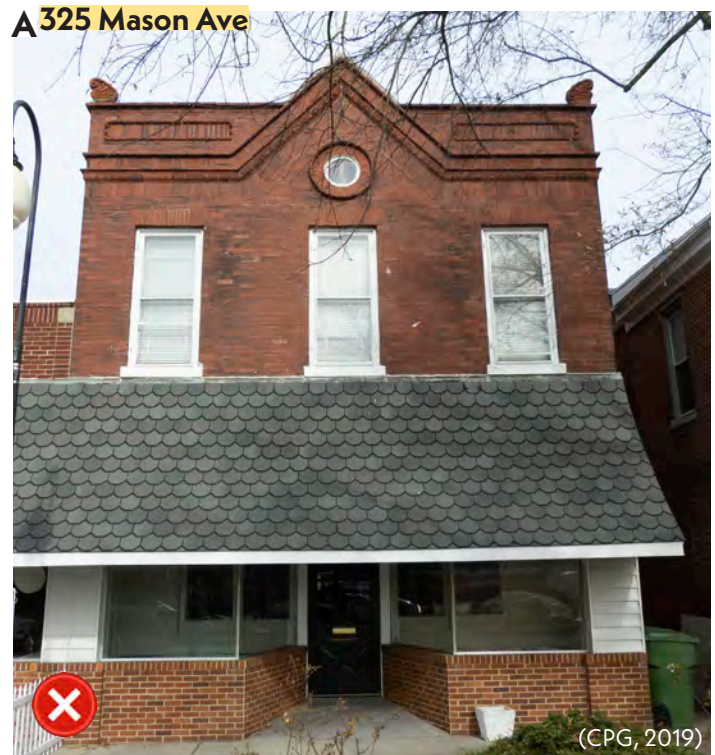


Figure 5.28 - This is an example of an inappropriate storefront modification. The display windows have been covered with modern siding, and the exterior stairs and balcony are an inappropriate alteration.

Historically, storefronts have provided an important business function for the display of goods and services. With substantial transparency, storefronts are visually distinct from other building elements; this characteristic provides variation in wall planes when recessed doorways and protruding display windows are present. It is imperative to the character of the district that historic storefronts be preserved and this function retained, even when building use changes.

GUIDELINES FOR COMMERCIAL STOREFRONTS

1. If storefront materials require replacement, it should be in-kind.
 - a. New materials should match the historic in material, composition, shape, size, profile, location, style and detailing, fenestration, and other visual qualities.
2. If in-kind replacement is not possible, the follow criteria for historic storefront material replacement applies:
 - a. Replacement materials should match the historic material as closely as possible in composition and arrangement, shape, size, profile, location, style and general detailing, texture, level of transparency, finish, and other visual qualities.
 - b. Select moisture resistant



Figures 5.29 A & B - In a recent renovation, the modern shed roof, vinyl siding, and brick veneer knee-wall were removed and a more appropriate storefront was reinstated with transom windows and a wood paneled knee-wall and surround. A thin metal awning was added to help manage light infiltration.

replacement wood to prevent premature deterioration, such as accoya, cedar, cypress, or mahogany. Avoid using modern fast-growth wood, particularly softwoods such as pine.

- c. New glass must be clear without any reflective qualities that limit visibility into the interior space. Avoid any tinting or glazing meant to reflect light. Awnings or canopies can instead be used to manage light infiltration and solar gain at the front of the building.
 - d. Glass can be replaced with a tempered product for safety reasons, provided it follows the above guidance.
3. The replacement of entire storefronts should only occur if it cannot be salvaged.
- a. If the historic storefront is in place, but cannot be salvaged, it should be replicated.
 - b. If the historic storefront has been replaced with a modern storefront that requires replacement again, the historic storefront configuration should be replicated using historic images, if available.
 - c. If the historic storefront has been replaced with a modern storefront that requires replacement again,

and the historic storefront design is unknown, it should be contemporary compatible in design.

- d. In some cases, original storefront replacements, or second-generation storefronts, are historically significant in their own right if they were installed during the period of significance of the Cape Charles Historic District Overlay, and should be retained and restored.

Awnings and Canopies

- 1. Missing historic awnings and canopies may be reinstalled.
 - a. If available, use historic documentation to determine the design of the historic awning or canopy.
 - b. If no historic photographs are available for reference, but there is physical or other evidence that canopies or awnings previously existed on a building, the design should be in keeping with the character of the building and the surrounding district.
- 2. New awnings or canopies may be introduced onto a historic building.
 - a. The design should be contemporary yet compatible.
 - b. Care should be taken to ensure the installation of a new awning or

canopy does not alter the historic character of the building or damage or obscure historic materials or features.

- c. The placement of the new awning or canopy should align with the size, scale, and style of the storefront and associated doorways and fenestration.
3. Modern awnings that do not reflect the style and character of the historic building may be removed.
 - a. The shape, scale, massing, material, and color of the new awning or canopy should be compatible with the building and the surrounding district.
4. Awnings or canopies should not be internally illuminated.
 1. Lighting for awnings or canopies should be provided by an exterior light source using appropriate concealment of conduits and other electrical hardware.



Figures 5.30 A & B - Canvas awnings have been a consistent way to manage light infiltration in Cape Charles, as shown in the early 1900s photograph of Mason Avenue at the top. New awnings, like the bottom photograph, should align in size, scale, and style of the storefront.



Figure 5.31 - Internally lit awnings are not appropriate for the Cape Charles Historic District Overlay.

5.5.4 NEW WINDOW & DOOR OPENINGS

1. Maintain historic wall openings on the façade and side elevations that are visible from the street. Doors and windows should not be added or deleted in these areas.
 - a. Exceptions to this include the removal of a modern door to accommodate the insertion of a historic replica door.
2. On secondary elevations, doors and windows may be added or deleted. This allowance should occur in limited circumstances on any given building elevation.
 - a. In order to limit the impact to the building envelope and retain the opening pattern, consider utilizing existing window openings; ideally, the width and height of the historic opening will be maintained while dropping the sill to accommodate a new door.
 - b. Where historic openings are blocked, the new wall should have a distinct design and treatment to mark the location of the historic opening.
 - i. On buildings with wood siding, retain the historic trim and infill the opening with a smooth, recessed panel.
 - ii. On buildings with masonry



Figure 5.32 - The number of windows has been greatly reduced and altered on the primary elevation and exposed side elevation. This is inappropriate for the Cape Charles Historic District Overlay. (CPG, 2022)

exteriors of any finish, recess the infill at least 1" to mark the opening and maintain a vestige of the historic opening pattern; masonry infill can be parged for a smooth finish or left exposed.

3. New door openings should not be designed to alter the presence and function of historic primary entries. Historic entries that serve as an architectural focal point must be retained as such. The level of adornment for new doors should not exceed the level of

adornment of the historic entries.

4. New wall openings must reflect and reinforce the architectural style of the building and fit with the established fenestration pattern. New doors and windows inserted into new openings must be differentiated in configuration, such as a different number or arrangement of panes, but should be comprised of historically appropriate materials that match the visual qualities of the historic windows on the building.



(BrickUnderground.com, 2016)

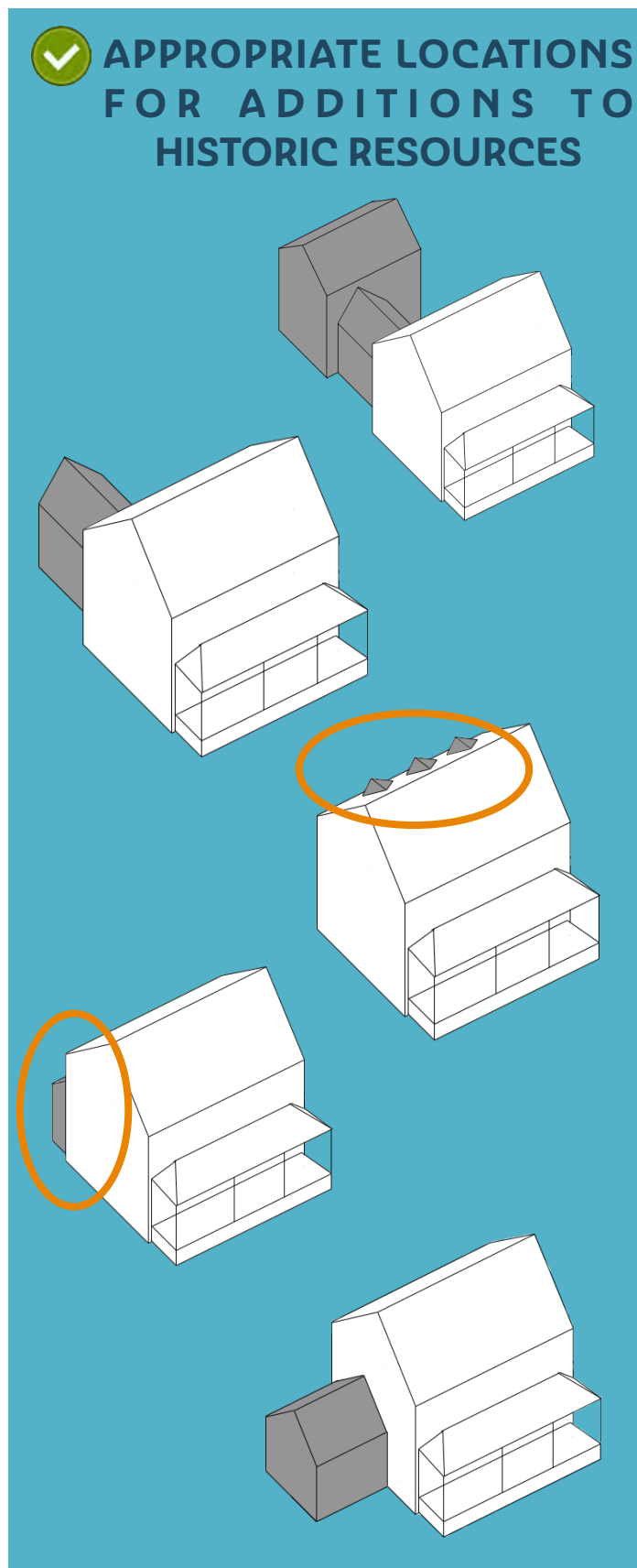
Figure 5.33 - An example of a masonry exterior window infill where the modern brick infill is recessed and the lintel and sill are still present to delineate the historic opening.

5.6 NEW ADDITIONS TO CONTRIBUTING BUILDINGS

The most important considerations when planning an addition to an historic building are compatibility, differentiation, and reversibility. New additions should be compatible – consistent and harmonious in design – to the historic building, but should also be differentiated – differences between the historic and new should be readily discernible – so that it is clear they are not original. New additions should also be constructed so that in the future, if they are removed, the form and integrity of the historic building remains intact; to this end, the addition should be designed to minimize the removal of historic features, particularly exterior walls.

GUIDELINES FOR NEW ADDITIONS TO CONTRIBUTING BUILDINGS

1. New additions should be designed to preserve significant historic materials, features, and form.
 - a. The design of a new addition should minimize the requirement for historic material loss at the connection point to the historic building.
 - b. To retain historic exterior materials on the interior of the new addition, new additions should utilize historic openings to access the new addition rather than cutting new openings or construct a small hyphen to connect

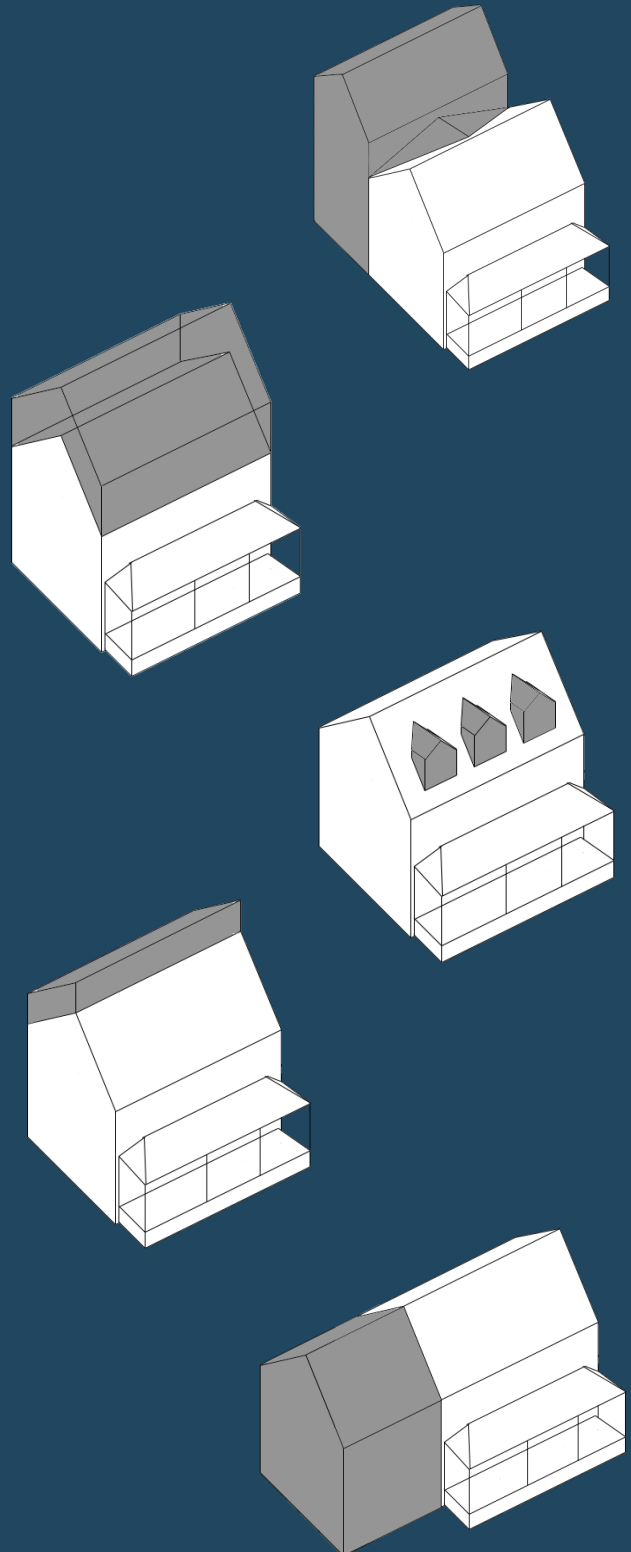


the historic building to the new addition.

2. New additions should be subordinate to the historic building.
 - a. The new addition should be sized as secondary to the primary historic building.
 - b. New additions should not overpower the form or change the scale of the primary historic building.
 - c. The placement, orientation, massing, and scale of the new addition should be designed in such a manner that it does not impact the integrity of the primary historic building.
 - d. New additions should be placed to reduce visibility from the public right-of-way.
 - e. Second-story additions on historic buildings are generally not appropriate unless the addition is designed in such a way that it does not impact the massing, scale, and character of the building.
3. New additions should be compatible with but differentiated from the historic building.
 - a. The openings in the new addition should mimic the rhythm of the historic building but be differentiated from them in design and configuration. The arrangement of the proposed windows and doors



INAPPROPRIATE LOCATIONS FOR ADDITIONS TO HISTORIC RESOURCES



- should reflect that of the primary historic building.
- b. A physical break (if using a hyphen connection) or a small setback between the historic building and the new addition should be provided to create visual distinction between the historic and modern portion of the building.
 - c. Materials should be compatible, but differentiated from those found on the historic building.
 - d. Alternative materials can be appropriate for new additions as a means of differentiating the addition from the historic building. Refer to [Chapter 7](#), Alternative Materials, for information on selecting an appropriate alternative material.
4. The style of the proposed windows and doors should be compatible with the historic building's windows and doors, but should not attempt to replicate them.
 - a. Glass should be clear in all cases other than for decorative accent windows.
 - b. For windows consisting of multiple panes of glass, simulated divided lights should have dimensional muntins or grills on the exterior of the glass, rather than between the panes.
 5. New chimneys should be clad in masonry and extend to the ground when located on exterior elevations.
 - a. Weatherboard siding is not appropriate for chimneys.
 - b. Fireplace, dryer, and other types of exhaust vents should not be located on façades.
 - c. Metal flues should only be exposed above the eaves of the roof.
 6. New roof connections should be below the peak of the existing roof.
 - a. Proposed dormers should be sized to reflect the scale and architectural style of the addition, and should not be placed on primary roof elevations.
 7. Place new additions to avoid damage or elimination of historic site features.



Figure 5.34 - This addition at the rear of the building is appropriately subordinate to the historic building. The wood siding also differentiates it from the painted historic material used on the original building.

5.7 NONCONTRIBUTING PRIMARY BUILDING TREATMENT

Noncontributing buildings located within Cape Charles's Historic District Overlay are regulated less strictly than contributing buildings; the purpose of reviewing work on noncontributing buildings is simply to ensure that they do not detract from the character of the Historic District. The following guidelines outline the expectations for alterations to noncontributing buildings. This section encourages property owners to make appropriate changes to their buildings, while providing for more flexibility for change.

Information and guidelines related to accessory structures attributed to noncontributing primary buildings can be found in [Chapter 6](#).



5.8 ROOFS

Roofs are highly visible exterior features, and help establish the overall profile and massing of a building. Roof shapes vary and roofs are clad in a variety of materials, each of which have their own visual character; materials range in shape, size, color, profile, pattern, and texture. Roofs on noncontributing buildings in the Cape Charles Historic District Overlay should not overwhelm or detract from the overall character of the district. However, if the roof is a distinctive feature of a noncontributing resource, that character should be retained.

GUIDELINES FOR ROOFS

1. If replacement is necessary, replace the roof in-kind or propose an appropriate alternative material.
 - a. Replacement roofing should be compatible with the district.
 - b. If a change in roofing material is desired, provide product information for review; considerations for alternative materials for noncontributing buildings can be found in [Chapter 7](#).



(Pinterest, unknown)

Figure 5.35 - Metal roofing materials now have more design options to give a contemporary look to a noncontributing modern building.



(EagleRoofing.com, unknown)

Figure 5.36 - Concrete tile is becoming a popular option for modern buildings that provides an aesthetic quality but also functional as they last longer and are more durable than asphalt shingles.

5.9 EXTERIOR WALL MATERIALS & FINISHES

The exterior wall materials and finishes of a non-historic building should be compatible with historic materials in the district. The details of exterior wall materials create surface texture that impart the specific characteristics; noncontributing buildings should respect the character of the materials found on historic buildings within the district.

GUIDELINES FOR EXTERIOR WALL MATERIALS & FINISHES

1. Retain existing building materials as feasible.
 - a. Only replace areas of damaged or deteriorated materials. In order to reduce waste, avoid removing materials that are in salvageable condition.
2. If the existing exterior wall material requires replacement, it can be replaced in kind or an alternative material may be proposed.
 - a. Considerations for alternative materials for noncontributing buildings and the replacement material flow chart found in [Chapter 7](#) can be used to determine what alternative material is appropriate.

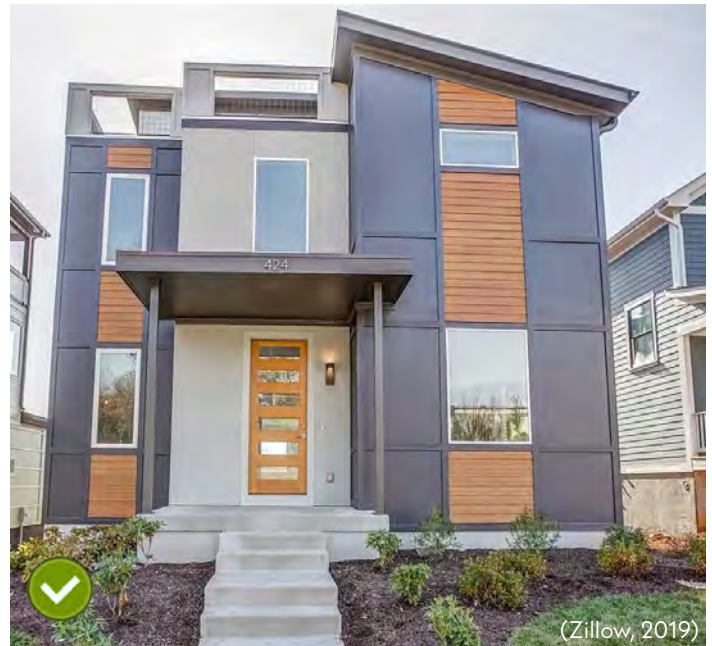


Figure 5.37 - This house utilizes historic materials like stucco and aluminum siding but in a contemporary application. It is differentiated from contributing resources, but does not detract from the historic district.



Figure 5.38 - The photograph above is of Hardie Plank material on a house. After 2 years, it has faded noticeably where the original color can be seen under the sill.

5.10 EXTERIOR TRIM & DETAILS

Exterior trim and details include exterior doors, porches, trim, and decorative elements. For noncontributing buildings, exterior trim and details may not be made of wood. Other products that may appear on noncontributing buildings include vinyl, aluminum, or PVC products. Exterior trim and details encompass many exterior features, making this a critical category for maintenance and care of buildings.

GUIDELINES FOR TRIM & DETAILS

1. If areas of deterioration or damage are found, these areas should be repaired or replaced in kind.
 - a. Alternative materials can be proposed if replacement is deemed necessary; see [Chapter 7](#) for alternative materials for noncontributing buildings.
2. New exterior features, such as porches, may be appropriate for noncontributing buildings, provided the design is in keeping with the surrounding district.
 - a. The location, placement, size, and orientation of new features on noncontributing buildings should be similar to that seen in the district.
 - b. Detailing of new features should not attempt to replicate historic details found on contributing buildings in the district to avoid creating a false sense of history.



Figures 5.39 A & B - The addition of a Craftsman style front porch (defined by the use of wood shingles, deep eaves, exposed rafter tails, and thick wood columns) to this Minimal Traditional style home is inappropriate.



Figure 5.40 - This new building utilizes too many details that replicate historic details such as the gingerbread trim on the eaves, the fishscale shingles on the wall, and the porch trim.

5.11 WINDOWS & ASSOCIATED FEATURES

Exterior trim and details include exterior doors, porches, trim, and decorative elements. For noncontributing buildings, exterior trim and details may not be made of wood. Other products that may appear on noncontributing buildings include vinyl, aluminum, or PVC products. Exterior trim and details encompass many exterior features, making this a critical category for maintenance and care of buildings.

GUIDELINES FOR WINDOWS & ASSOCIATED FEATURES

1. If areas of deterioration or damage are found, these areas should be repaired or replaced in kind.
 - a. Alternative materials can be proposed if replacement is deemed necessary; see [Chapter 7](#) for alternative materials for noncontributing buildings.
2. New exterior features, such as porches, may be appropriate for noncontributing buildings, provided the design is in keeping with the surrounding district.
 - a. The location, placement, size, and orientation of new features on noncontributing buildings should be similar to that seen in the district.
 - b. Detailing of new features should not attempt to replicate historic details found on contributing buildings in

the district to avoid creating a false sense of history.

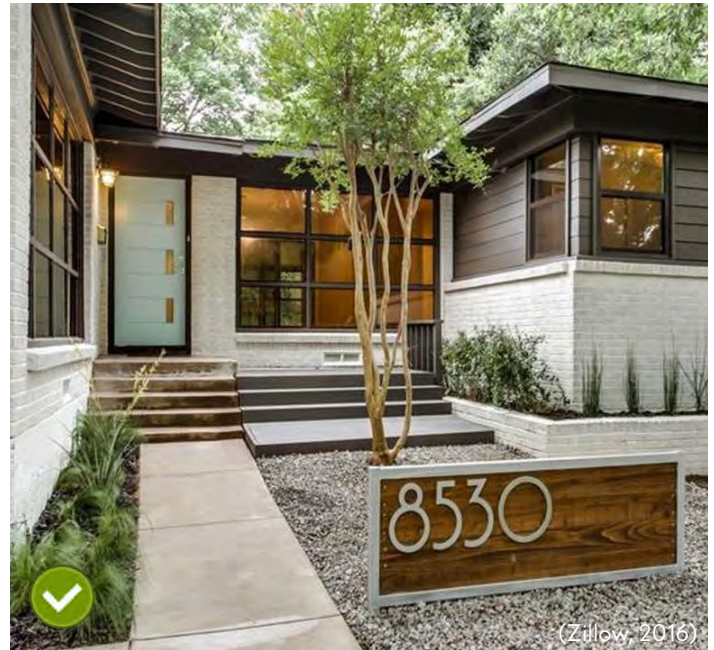


Figure 5.41 - The replacement aluminum windows on this renovated mid-century, noncontributing house are in keeping with its own time and are appropriate for the Cape Charles Historic District Overlay.



Figure 5.42 - The rear porch of this modern house is in keeping with the location, placement, and size of others in the area. It would be an appropriate new exterior feature.

5.12 ADDITIONS

The most important considerations when planning an addition to a noncontributing building is the potential impact to the character of the subject building and the overall district. New additions to noncontributing buildings should not result in scale, massing, form, or proportions that are incompatible with the primary resource or the district.

GUIDELINES FOR ADDITIONS

1. New additions to noncontributing buildings should be compatible with the district.
 - a. The placement, orientation, massing, and scale of a new addition should be designed in such a manner so that it does not impact the character of the district.
 - b. New additions should not overpower the form or change the scale of the primary building in order to maintain compatibility with the district.
 - c. Design and materials should be compatible with the district
 - d. Alternative materials can be appropriate for new additions as one way of differentiating them. Alternative materials will be evaluated on a case-by-case basis; see Considerations for Alternative Materials in [Chapter 7](#). In general,

alternative materials proposed for new additions need to be compatible with the materials found on the existing building, as well as the district as a whole.

- e. Second-story additions are generally not appropriate; exceptions can be made if it is demonstrated that the addition does not negatively impact the character of the district.



Figures 5.43 A & B - The drastic alteration (A) to this one-story ranch house into a two-story residence overpowers the form and scale of the original primary building (B). It also borrows many historic features, giving it a false sense of history.

5.13 NEW CONSTRUCTION OF PRIMARY BUILDINGS

The construction of new buildings within the Cape Charles Historic District Overlay should be carefully planned and designed in order to avoid negatively impacting historic character and integrity of the district. The following guidelines are critical to ensure that new construction is consistent with the placement, orientation, massing, scale, and form of existing buildings, while also being clearly differentiated as modern insertions. While contemporary designs can be inspired by the distinctive features of the Cape Charles Historic District Overlay, historic duplication is not recommended. Above all, new construction should be sympathetic with its surroundings while remaining appropriate for its construction date.

New construction/infill within the Cape Charles Historic District Overlay consists of buildings that are constructed on previously vacant lots or where previously contributing or noncontributing buildings have been demolished (following the guidelines set forth in [Chapter 10](#)).

If you are planning new construction of an accessory building (like an accessory dwelling unit or a shed) on a property that currently has a contributing or



Figure 5.44 - New construction should be of its own time, utilizing modern materials and design, but remain in proportion with the existing historic resources. Maintaining similar setbacks, scale, orientation, etc. should be carefully managed.

noncontributing primary building, please see [Chapter 6](#).

5.13.1 BUILDING PLACEMENT, ORIENTATION, & MASSING/SCALE/Form

Position new buildings on the lot in a manner that is consistent with those on the same block in order to retain the historic character of the streetscape and the rhythm of buildings and voids.

1. Placement: To the extent possible within zoning requirement, new buildings should maintain similar placements to adjacent historic buildings.

- a. Maintain the same setback line from the street as other buildings in the vicinity. Locate residential construction at least 30 feet from all right-of-way lines. In traditional commercial areas, new buildings should maintain the continuous edge.
 - b. Maintain a consistent setback with adjacent properties to retain the rhythm of structure and void space along the street.
 - c. Place any new accessory structures and parking at the rear of the lot
2. Orientation: New buildings should be oriented in the same manner as existing buildings on the street.
 - a. If all main entrances and primary architectural features are located on the street-facing elevation, maintain this convention in the design of new primary buildings.

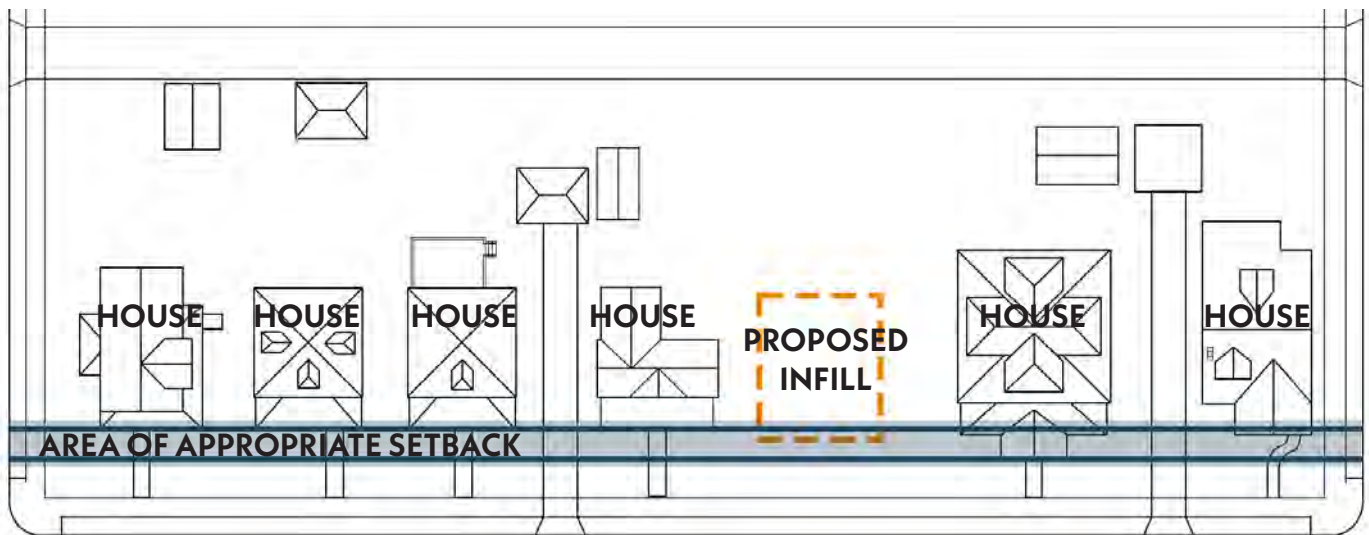


Figure 5.45 - The above diagram shows a typical residential streetscape in Cape Charles. Placement of a new building should maintain similar setbacks and spacing between buildings to maintain a consistent rhythm.

- b. New buildings should not be placed at an angle on the lot if adjacent historic buildings are parallel to the lot lines.
- 3. Massing/Scale/Form: New buildings should maintain similar massing, scale, and form to adjacent historic buildings.
 - a. Unless historically present, avoid combining lots to create an oversized or undersized site which is incongruous with the surrounding development.
 - b. New construction should be consistent with the established height and scale already existing on the block. New structures should be no more than 10% taller or shorter than the average building on the block and at a maximum height of 40 feet, as stipulated in [Article 3](#) of the zoning ordinance.
 - c. Maintain a floor-to-ceiling height that is generally in keeping with adjacent buildings to ensure visual cohesion along a block.
 - b. Utilize neighboring buildings to inform the overall form. Adjacent contributing resources can help determine appropriate and compatible building footprints and roof forms. Do not mix and match historic styles when proposing contemporary compatible new construction.

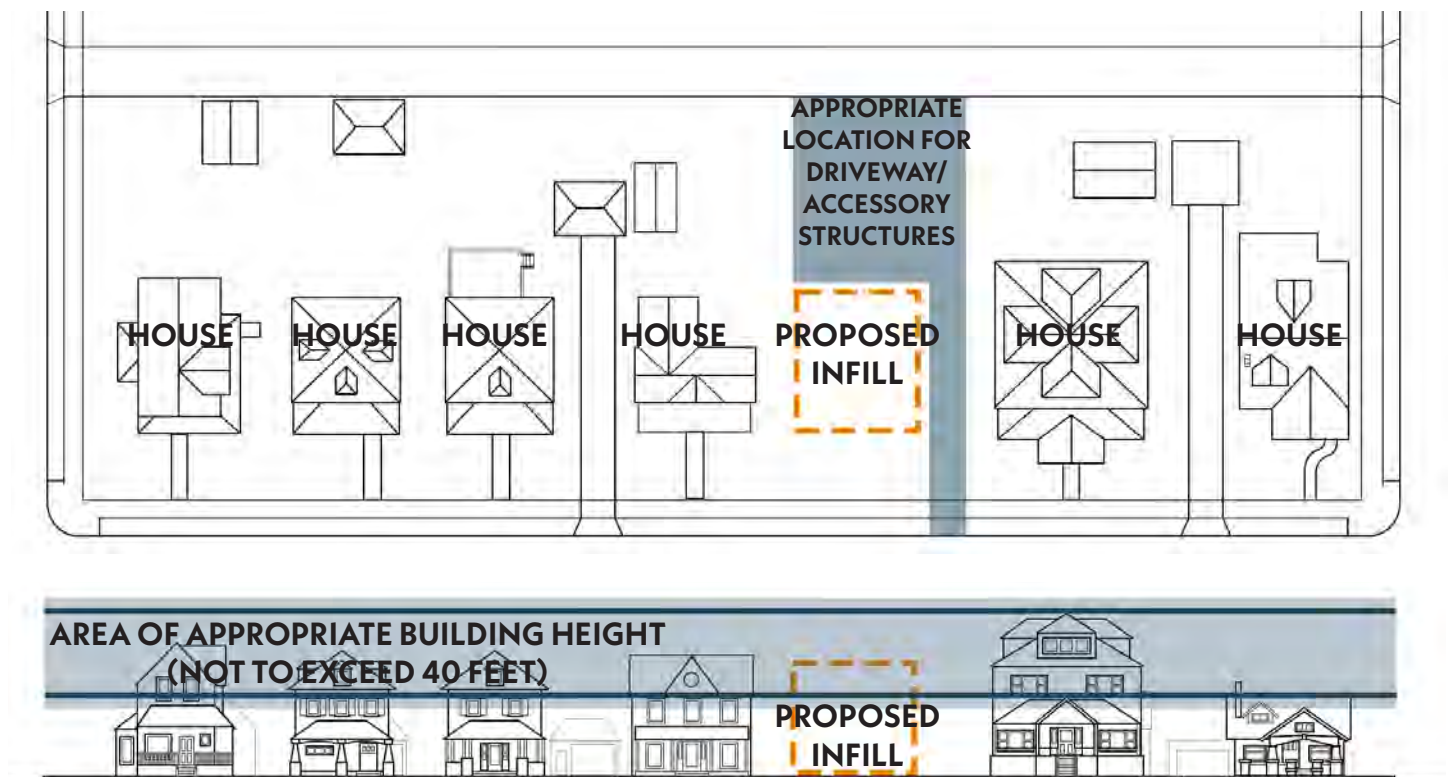


Figure 5.46 - The above diagram shows a typical residential streetscape in Cape Charles. Placement of a new building should maintain similar heights as neighboring buildings to maintain a consistent rhythm.

5.13.2 BUILDING ELEMENTS & MATERIALS

Design new buildings to be compatible in style, yet differentiated from historic buildings. Incorporate modern elements and materials, but remain consistent with the surrounding district.

1. Utilize new materials to help differentiate new construction from existing contributing buildings. Use new materials that have similar dimensions, profiles, and visual qualities as traditional materials.
2. Avoid the use of decorative elements specific to historic styles found within the district, as this could create a false sense of the developmental history of the district. Keep ornamentation on new buildings simple in design and restrained in style.
3. Porches are common in Cape Charles and are appropriate for new construction; details should be simplified to differentiate these from the more ornate historic porches, maintaining a contemporary but compatible design. Porches on new construction buildings should be proportional to the design and can be full-width, partial-width, or wrap-around.
4. Retain existing topography, old growth trees, and other significant site features;

site new construction to retain any remaining historic site features. For further information on site and setting within the Cape Charles Historic District Overlay, see [Chapter 9](#).



Figure 5.47 - This illustrates an appropriate infill where the scale and proportion is similar to neighboring structures, while utilizing modern materials to be of its own time.



Figure 5.47 - The new commercial infill dwarfs its neighbors and features false-historic design.

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CAPE CHARLES HISTORIC DISTRICT OVERLAY DESIGN GUIDELINES

6

ACCESSORY STRUCTURES

Accessory structures are found throughout the Cape Charles Historic District Overlay, and are primarily associated with residential buildings in the form of detached garages and sheds. An increase in the vacation rental market in Cape Charles has sparked a wave of rehabilitation of existing accessory structures and the construction of new accessory structures for accessory dwelling units (ADUs).

The following chapter breaks out accessory structures into three sections:

- Accessory Structures Associated with Contributing Primary Buildings,
- Accessory Structures Associated with Noncontributing Primary Buildings, and
- New Accessory Structures/ADU's Associated with New Construction

Each section has different considerations and guidelines for appropriate treatment.

***Please note: Examples found in the following chapter include best practice photographs, most of which have been found throughout Cape Charles. Any photograph that considers negative impacts to historic features is from examples outside of the town.**

BOARD REVIEW

6.1 ACCESSORY STRUCTURES ASSOCIATED WITH CONTRIBUTING PRIMARY BUILDINGS

This section provides guidance for the treatment of contributing accessory structures (those constructed within the period of significance) and modern accessory structures (those constructed outside the period of significance).

Accessory Dwelling Units (ADUs) within the Cape Charles Historic District Overlay must meet:

- [Cape Charles Zoning Ordinance, Article IV Section 4.2\(J\), Accessory Dwellings](#)
- [Cape Charles Zoning Ordinance, Article IV Section 8.16\(B\)\(3\), Accessory Dwellings](#)

CONTRIBUTING ACCESSORY STRUCTURES ASSOCIATED WITH A CONTRIBUTING PRIMARY BUILDING

1. Historic accessory structures should be retained and restored to the maximum extent possible.
 - a. Retain historic accessory structures in their original locations in order to preserve the historic site and relationship to the historic primary resource (if applicable).
 - b. Maintain the historic features, materials, and configuration of historic accessory structures.

EXAMPLES OF CONTRIBUTING ACCESSORY STRUCTURES IN CAPE CHARLES



2. Routinely inspect historic accessory structures for damage and deterioration.
 - a. Repair or replace damaged historic features and materials in kind.
 - b. Replacement of original materials should be limited to pieces that cannot be salvaged; wholesale replacement of historic building components should be avoided.
3. If replacement of a historic material is necessary, it should be in-kind.
 - a. To achieve replacement in-kind, new materials should match the historic in material, composition, shape, size, profile, pattern, texture and other visual qualities. Color should match the historic material when it is integral to the material itself (for example, brick or mortar colors).
4. If replacement in-kind is not possible, the following criteria for material replacement applies:
 - a. Replacement materials should match the physical characteristics of the original material in size, composition, and profile, as well as the visual characteristics of color, texture, finish, and profile.
 - b. Replacement materials should offer the same general appearance as the existing material.
 - c. Material replacement should not negatively impact remaining materials or the design of other building features.
 - d. If the feature cannot be replicated using traditional materials, refer to [Chapter 7, Alternative Materials](#), for information on selecting an appropriate alternative material.
5. Modifications to historic accessory structures must be in keeping with its historic character, as well as that of the primary historic building on the property, if applicable.
6. Ensure alterations to historic accessory structures do not negatively impact the integrity and significance of the accessory structure or the rest of the historic property with which it is related.



Figure 6.1 - This garage has been converted to an ADU. The addition matches the historic home closely, creating a false historic narrative. It is also substantially larger now and along a public right-of-way, impacting the integrity of the site and primary resource.

7. For demolition of a historic accessory structure, see [Chapter 10, Relocation and Demolition](#).

NONCONTRIBUTING ACCESSORY STRUCTURES ASSOCIATED WITH A CONTRIBUTING PRIMARY BUILDING

1. Inspect and maintain modern accessory structures.
 - a. Routinely inspect accessory structures for damage and deterioration.
2. Materials on modern accessory structures can be replaced in-kind or changed to a material that is compatible with the contributing primary building and the surrounding neighborhood.
 - a. Material replacement should not negatively impact the remaining materials and the design of other building features.
 - b. If the material cannot be replaced in-kind, refer to [Chapter 7, Alternative Materials](#) for information on selecting an appropriate alternative material.
3. Alterations to modern accessory structures should not negatively impact the integrity and significance of the contributing primary building.
 - a. Forms should remain simple to reflect the purpose of the structure and not detract from the contributing primary building.
4. Materials should reflect and complement the existing modern accessory structure and the contributing primary building.
 - a. Alternative materials can be appropriate for use on modern accessory structures as a means of differentiating the addition from the contributing primary building. Refer to [Chapter 7, Alternative Materials](#), for information on selecting an appropriate alternative material.
5. Modifications to modern accessory structures should not create a false historic narrative.
 - a. Avoid adding conjectural features to modern accessory structures.
6. A modern accessory structure may be demolished if it is structurally unsound,
 - b. The size should remain subordinate to the contributing primary building.



Figure 6.2 - An example of a well-maintained noncontributing accessory structure associated with a contributing primary building in Cape Charles.

deteriorated beyond repair, or no longer serving the property.

- a. Replacement of an existing modern accessory structure must follow the guidelines for New Accessory Structures to avoid negatively impacting the contributing primary building and surrounding neighborhood.

NEW ACCESSORY STRUCTURES ASSOCIATED WITH A CONTRIBUTING PRIMARY BUILDING

Proposals for new accessory structures should follow requirements outlined in [Article IV, General Regulations Applicable to All Districts, Section 4.2.E, Accessory Buildings](#).

1. New accessory structures on parcels where there is a primary historic building shall be placed so they do not negatively impact the contributing primary building or the neighborhood.

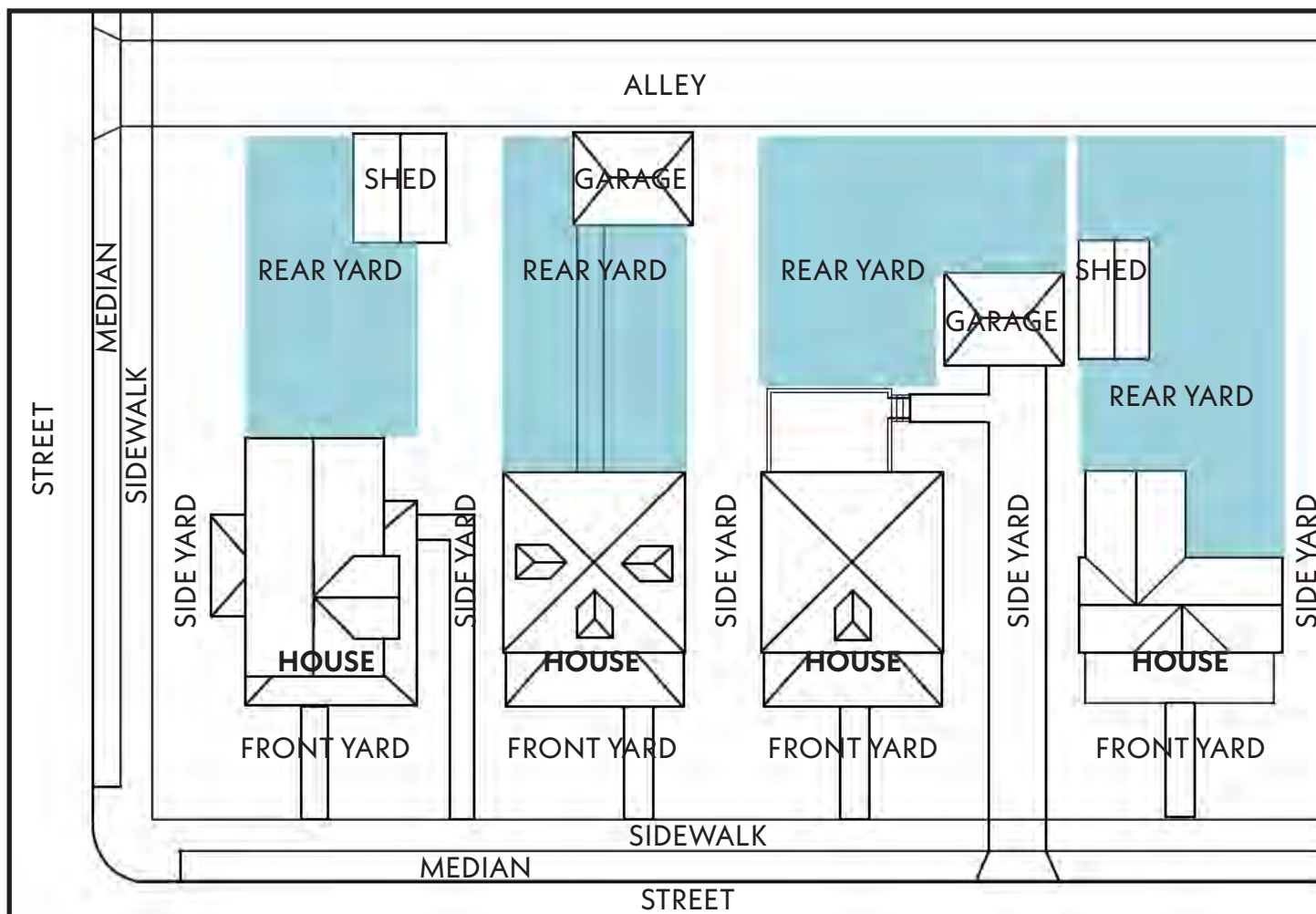


Figure 6.3 - The diagram above shows example locations (marked in blue) that would be appropriate to place a new accessory structure. All plans must be reviewed prior to project initiation.

- a. Appropriate locations for new accessory structures are in rear yards and behind the front plane of the primary building.
- b. Carefully select the placement and orientation of new accessory structures to be in a traditional location for its use.
- c. Limit the size of new accessory structures to ensure that they are not visible from the public right-of-way and do not impact the character of the primary building as defined in Cape Charles Zoning Ordinance Section 8.17 (H).
- d. Design the new accessory structure to be compatible with the contributing primary building by using a similar roof type, opening pattern, and materials.
- e. Limit ornament on accessory structures; keep the design and materials simple, and durable.
- f. Do not remove historic site or landscape features to accommodate the construction of a new accessory structure.



Figure 6.4 - This new accessory structure is placed in the rear yard on a corner lot. It is significantly taller than the primary structure and almost as large. This would be an inappropriate accessory structure in the Cape Charles Historic District Overlay.

6.2 ACCESSORY STRUCTURES ASSOCIATED WITH NONCONTRIBUTING PRIMARY BUILDINGS

This section provides guidance for the treatment of historic accessory structures, modern accessory structures, and proposed new accessory structures that are or will be associated with noncontributing primary buildings.

CONTRIBUTING ACCESSORY STRUCTURES ASSOCIATED WITH A NONCONTRIBUTING PRIMARY BUILDING

1. Historic accessory structures should be retained and restored to the maximum extent possible.
 - a. Retain historic accessory structures in their original locations in order to preserve the historic site and relationship to the historic primary resource (if applicable).
 - b. Maintain the historic features, materials, and configuration of historic accessory structures.
2. Routinely inspect historic accessory structures for damage and deterioration.
 - a. Repair or replace damaged historic features and materials in kind.
 - b. Replacement of original materials should be limited to pieces that cannot be salvaged; wholesale replacement of historic building components should be avoided.

ROUTINE INSPECTION CAN HELP PROTECT AGAINST:



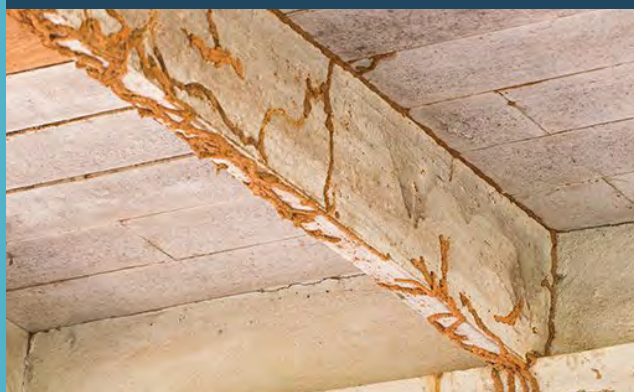
RODENT INFESTATION



MOISTURE ISSUES



VEGETATIVE OVERGROWTH



TERMITE INFESTATION

3. If replacement of a historic material is necessary, it should be in-kind.
 - a. To achieve replacement in-kind, new materials should match the historic in material, composition, shape, size, color, profile, pattern, texture and other visual qualities.
4. If replacement in-kind is not possible, the following criteria for material replacement applies:
 - a. Replacement materials should match the physical characteristics of the original material in size, composition, and profile, as well as the visual characteristics of color, texture, finish, and profile.
 - b. Replacement materials should offer the same general appearance as the existing material.
 - c. Material replacement should not negatively impact remaining materials or the design of other building features.
 - d. If the feature cannot be replicated using traditional materials, refer to [Chapter 7, Alternative Materials](#), for information on selecting an appropriate alternative material.
5. Modifications to contributing accessory structures must be in keeping with its historic character.
6. Ensure alterations to contributing

accessory structures do not negatively impact the integrity and significance of the accessory structure or the rest of the property with which it is related.

7. For demolition of a historic accessory structure, see [Chapter 10, Relocation and Demolition](#).

NONCONTRIBUTING ACCESSORY STRUCTURE ASSOCIATED WITH NONCONTRIBUTING PRIMARY BUILDING

1. Modern accessory structures should be inspected and maintained.
 - a. Routinely inspect modern accessory structures for signs of damage or deterioration.
2. Replace existing features and materials on modern accessory structures in kind.
 - a. Replace damaged or deteriorated features and materials in kind.
 - b. If the existing feature is an inappropriate modern alteration, the design can be modified to be more appropriate.
 - c. If a new feature or replacement material is proposed for use on a modern accessory structure, it must be evaluated by the Historic District Review Board (HDRB). Alternative materials proposed for use on modern accessory structures will be evaluated

on a case-by-case basis; see [Chapter 7](#) for Considerations for Alternative Materials.

3. Modifications to modern accessory structures should be compatible with the district.
 - a. Alterations to modern accessory structures should not negatively impact the character of the district.
4. If modern accessory structures are deteriorated beyond repair, they may be demolished.
 - a. Document deterioration of modern accessory structures.
 - b. If an existing modern accessory structure is demolished, its replacement must follow guidance

found in the next section, New Construction of Accessory Structures.

NEW ACCESSORY STRUCTURES ASSOCIATED WITH A PRIMARY NONCONTRIBUTING BUILDING

Proposals for new accessory structures should follow requirements outlined in [Article IV, General Regulations Applicable to All Districts, Section 4.2.E, Accessory Buildings](#).

1. A new accessory structure on a parcel with a noncontributing primary building should be placed so it does not impact the character of the district.



(Modern-Shed.com, unknown)

Figure 6.5 - This new ADU is tucked behind an existing garage in the rear of the yard. It is designed in a contemporary style with simplified decoration but in a functional way. This would be appropriate ADU and location for a noncontributing primary building.

- a. Carefully select the placement and orientation of new accessory structures, preferably at the rear of the property. Placement and orientation should be consistent with existing accessory structures in the district.
- b. Limit the size of new accessory structures; new accessory structures should be subordinate to the primary building in placement, scale, and massing.
- c. Design the new accessory structure to be compatible with the character of the primary resource and the district.
- d. Ornament on new accessory structures should not give a sense of false history. Limit ornament and keep the design simple.



Figure 6.6 - This new accessory structure is quite ornate and the design details, such as the large barn door brackets, copula, and shutters, give it a false sense of history. New accessory structures should be simple and limited in ornament.

6.3 NEW ACCESSORY STRUCTURES/ADUs ASSOCIATED WITH NEW CONSTRUCTION

When planning new construction projects that include new accessory structures, including accessory dwelling units, they should also be consistent with the placement, orientation, massing, scale, and form as other accessory structures surrounding the proposed site, as outlined in [Article IV, General Regulations Applicable to All Districts, Section 4.2.E, Accessory Buildings](#).

1. When planning a new construction project, accessory structures should only be placed in the rear yard.
2. Orientation is generally towards the primary building, unless serviceable by a rear alley or driveway.
3. Accessory structures should maintain similar massing, scale, and form as other accessory structures within the vicinity. An accessory structure should be smaller in scale than the primary building.
4. Visually, accessory structures should share similar design elements to the primary building. Materials should also match to remain consistent in style and quality of design.



(NextStageDesign.com, unknown)

Figure 6.6 - This new accessory dwelling unit behind a new construction is not similar in massing and scale as other accessory structures in the Cape Charles Historic District Overlay. While it shares some design elements with the primary building, it is as large in comparison, which is inappropriate.

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CAPE CHARLES HISTORIC DISTRICT OVERLAY DESIGN GUIDELINES



ALTERNATIVE MATERIALS

The intent of this chapter is to provide the Historic District Review Board (HDRB) with a series of consistent considerations to apply when evaluating proposals for the use of alternative materials. Naturally then, this chapter is also helpful for the applicant when selecting alternative materials to propose for use on buildings within the Cape Charles Historic District Overlay.

It is important to note that considerations are more robust for contributing/historic resources. The considerations are stricter for contributing/historic buildings because protecting the character of these buildings is the purpose of the district, and their traditional materials tend to be more negatively impacted with the introduction of alternative materials. Considerations for noncontributing resources are more lenient

because these buildings are not the focus of the district, and their more modern original materials are more likely to function well with alternative materials.

The purpose of this chapter is to provide a method of deciding when and what type of alternative materials are appropriate for use within the Cape Charles Historic District Overlay. A secondary purpose is to provide a reference for homeowners who want to propose an alternative material for documentation requirements.

***Please note: Examples found in the following chapter include best practice photographs, most of which have been found throughout Cape Charles. Any photograph that considers negative impacts to historic features is from examples outside of the town.**

BOARD REVIEW

7.1 ALTERNATIVE MATERIALS

Improper maintenance of historic materials on contributing buildings is not an appropriate reason to consider replacement. See [Chapter 4](#) for maintenance schedules and expectations. If proper maintenance or repair of historic materials is no longer possible, alternative materials proposed for use on historic buildings in the Cape Charles Historic District Overlay will be evaluated by the HDRB on a case-by-case basis. In general, alternative materials may be used to replace historic materials when the following circumstances are present:

- The historic material is no longer available; or
- Skilled craftsmen capable of working with or installing the historic material are no longer available; or
- The historic material is inherently flawed; or
- The code requires alterations that result in the removal of historic materials; or
- An unusual circumstance with a compelling reason that ensures all features of the alternate material have the same size, shape, and texture of the original material, and is visually indistinguishable from the original material from any public right-of-way.



Figure 7.1 - Vinyl siding is not impervious to water infiltration. Above shows where lines of mold have stained the historic siding underneath the vinyl siding. Covering the historic siding has also changed the window and door profiles to appear flat. Alternative materials should be carefully reviewed and considered to avoid detrimental effects such as these.

EVALUATING ALTERNATIVE MATERIALS FOR USE ON CONTRIBUTING BUILDINGS



IMPACT TO HISTORIC INTEGRITY & SIGNIFICANCE

When historic materials are replaced, the integrity of the property is diminished; over time, if enough contributing properties lose their historic materials, the integrity of the overall district is threatened. Therefore, retaining and restoring historic materials is the best practice to maintain the character of the district. However, when that is not possible for a particular feature on a property, the visual and physical consequences of replacement should be evaluated.



DURABILITY

In general, new materials have a shorter life span than their historic counterparts; once historic materials have been replaced, the property owner enters a shorter cycle of replacement. The durability and performance of a material should be evaluated to ensure that it will not require replacement again in short order. Some new materials have not been sufficiently evaluated for their durability and performance over time. Additionally, despite marketing claims, all materials require maintenance and all materials will eventually deteriorate over time.



APPEARANCE

The color, surface texture, reflectivity, and finish of a material comprise its appearance. Changes to the appearance of a material can impact the historic character of a property.



LOCATION/VISIBILITY

The location of the material proposed for replacement can impact whether or not it is appropriate to consider. If the material is highly visible or it will diminish the character of the building or district, it would not be acceptable to replace it; if, however, the location is secondary or minimally visible and would not impact the overall integrity of the resource or district, it may be appropriate.



SUSTAINABILITY

Historic buildings are inherently sustainable; because reuse retains the embodied energy in the existing building stock and the materials used in their construction are of a higher quality than their modern counterparts. It is important to consider the environmental consequences of replacement materials: not only does the historic material end up in a landfill – thus losing the embodied energy – but many new materials require significant energy and resources to manufacture, transport, and install.

7.2 FLOWCHART FOR CONSIDERATION OF HISTORIC MATERIAL REPLACEMENT

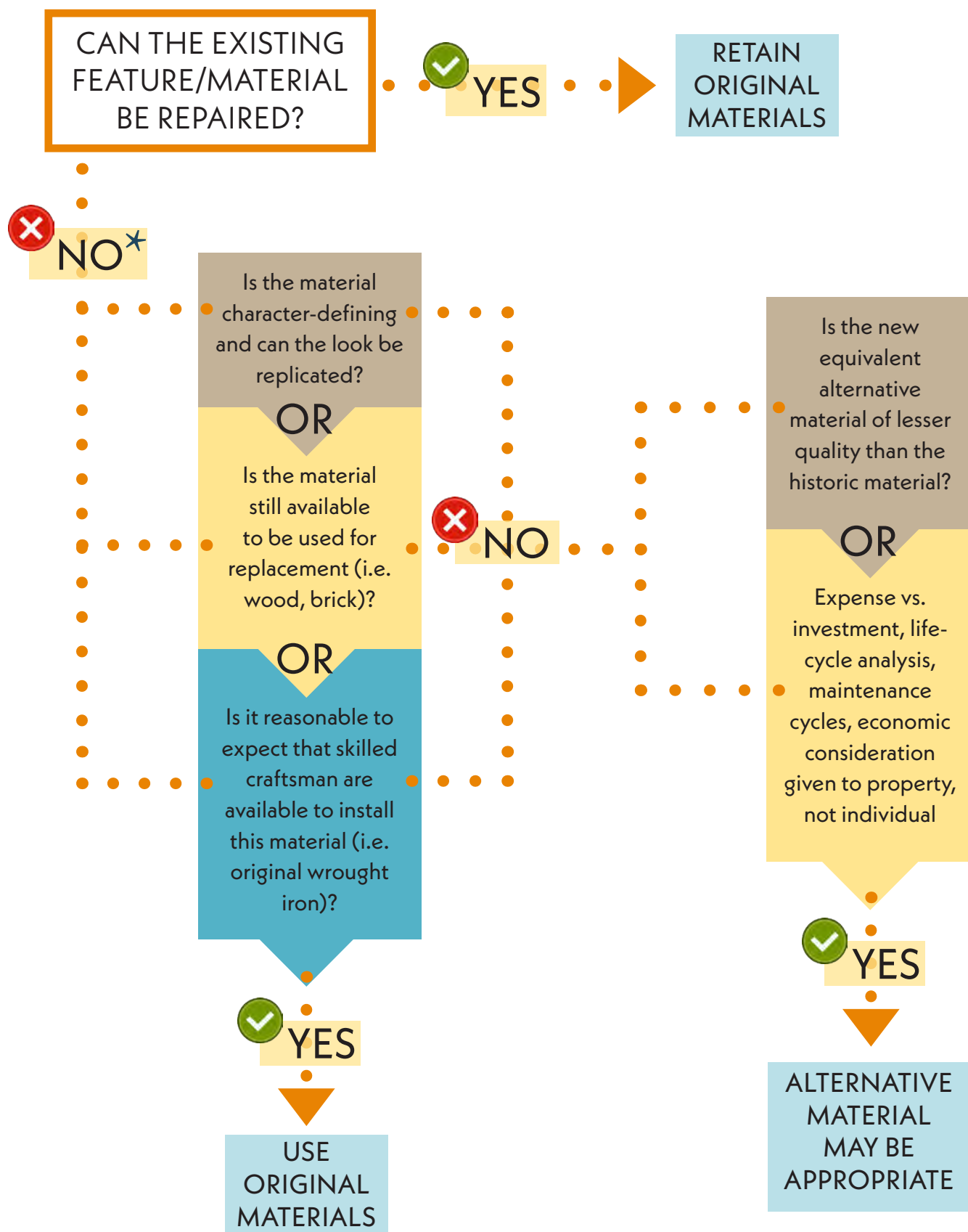
The flowchart in this section relies on an assessment of the condition of the historic material and appropriateness of the alternative materials as its framework. It will begin with an assessment of the historic material, presenting a series of questions for the HDRB (and property owners) to use when considering the appropriateness of its removal. Once that decision has been made, and in the event the historic material is deemed to require replacement, the discussion may turn to consideration of alternative materials. The flowchart for evaluation of alternative materials provides a framework for evaluating any potential

proposal and thus enables consideration of new alternative materials as they become available over time, rather than a static list.

Note: The flowchart was developed for property owners, HDRB members, and staff to use when evaluating whether it is appropriate to propose and approve replacement of an historic material with an alternative material. It should be used in conjunction with the applicable guidelines for the feature in question. For a full list of documentation requirements for proposed alternative materials, see the following section.



Figure 7.2 - 1918 wood harvested from old-growth forests is dense and durable. It will burn more slowly and is more insect resistant. It is now hard to obtain and if found, expensive. The alternative new-growth wood (the 2018 example) is visibly much less dense and less resistant to moisture and insects. It will require frequent replacement and is less favorable than maintaining historic wood.



*Property owner must fully & clearly demonstrate that it is not repairable.

(See page 9-6 on how to document).

7.3 DOCUMENTATION REQUIREMENTS FOR DETERIORATED HISTORIC FEATURES & PROPOSED ALTERNATIVE MATERIALS

The flowchart in the previous section sets forth that if an historic material is not salvageable and replacement in-kind is not possible, an alternative material may be appropriate. In order to determine if an historic material is deteriorated beyond repair, the applicant will need to fulfill the documentation requirements outlined below:

1. Good quality photography documenting the range of conditions of the deteriorated feature proposed for replacement, keyed to elevation drawing(s) or overall photo(s) of each elevation printed at a scale sufficient to show the location and extent of damage.

Documentation should illustrate that more than 50% of the material per feature cannot be reasonably repaired when wholesale replacement is proposed. "Typical" photographs should not be submitted when wholesale replacement of a material is proposed, as this level of impact should be documented in detail. When assessing features, appropriate measurements for percentages are as follows:

- A. For window replacement, percentage of deterioration is measured per window.
- B. For siding replacement, percentage



Figures 7.3 A & B - If the windows above were on the same house, the one on the left would be approved for replacement as it is missing its lower sash, some of the upper sash muntins, all of the glass panes, and has significant sill damage. The window on the right, although missing panes and some paint deterioration, is still intact and salvageable. This one would need to be retained and repaired.

of deterioration is measured per elevation.

C. For roof replacement, percentage of deterioration is measured based on the overall roof condition.

2. A letter from an architect, engineer, or contractor who has experience evaluating historic buildings and validates that the deteriorated feature cannot be repaired.

3. Potential for staff or HDRB site visit to examine the deteriorate features in person prior to their removal.

In addition to these factors, property owners should be prepared to address the following Considerations for Alternative Materials. Since new materials come onto the market every day, it is the applicant's responsibility to demonstrate that the new proposed material is appropriate for use on a contributing building.

- What are the physical characteristics of the original material?
 - Size/shape/profile, composition, color/finish, and texture
- What are the visual characteristics of the original material?
 - Size/shape/profile, composition, color/finish, and texture
- Does the new material closely resemble

the original material?

- Identify key criteria based on the physical and visual characteristics of the specific material in question?
- Is the new material structurally compatible with the remaining materials?
 - Is the new material stronger than the historic material? Will its installation increase the rate of deterioration of the adjacent historic materials?
 - Can the new material be installed in such a way that it does not damage adjacent historic materials?
- Is the new material more durable than the original? What is the lifespan of the new material?
 - How long is the new material expected to last (assuming properly maintained)?
 - Source of estimated life span?
 - Does the documented performance match its estimated lifespan?
- What is the record of performance of the new material?
 - How does the material perform in different climates (specifically to Cape Charles' climate)?
- Is the new material sustainable?
 - Embodied energy, energy efficiency, energy source, toxicity, recyclability, and transport

7.4 NONCONTRIBUTING CONSIDERATIONS

In general, alternative materials are appropriate for use on noncontributing resources, but there remain factors that need to be considered when selecting a material: Is the alternative material as durable as the material being replaced? And will the alternative material alter the appearance of the building in a way that impacts the character of the district? While the use of alternative materials on noncontributing resources requires a Certificate of Appropriateness (COA), the focus of the evaluation is on ensuring the use of the new material does not detract from adjacent contributing resources and the overall district.



Figure 7.4 - This noncontributing house has been clad in Hardi-plank siding. It is differentiated from historic materials found in the Cape Charles Historic District and would be appropriate on a noncontributing building.

7.4.1 IS THE ALTERNATIVE MATERIAL APPROPRIATE?

The following factors form the basis for the guidelines employed by staff or HDRB when determining whether a proposed alternative material is appropriate for use in a specific situation. Utilize the following factors to evaluate alternative materials for use on noncontributing buildings within the Cape Charles Historic District Overlay:

- **Appearance:** The proposed new material should not have an appearance that in any way detracts from adjacent historic buildings or alters the character of the surrounding Cape Charles Historic District Overlay.
- **Durability and performance:** The selected alternative material should be as durable or more durable as the material being replaced while remaining physically compatible with the remaining adjacent materials. The new material should have a demonstrated track record of performance over time to avoid entering a shorter cycle of replacement.

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CAPE CHARLES HISTORIC DISTRICT OVERLAY DESIGN GUIDELINES

8

FLOOD MITIGATION

This chapter is designed to provide an overview regarding how to evaluate the needs and develop effective retrofit designs to reduce flood risk for existing properties within the Cape Charles Historic District Overlay. Flooding is a concern that is impacting more historic resources than ever before, particularly in coastal communities. While flood considerations and retrofit guidelines have not been typically included in Cape Charles Historic District Overlay Design Guidelines in the past, it is important to begin to consider how we will counter the growing threat to historic buildings from both minor and major flood events in the coming years.

***Please note: Examples found in the following chapter include best practice photographs, most of which have been found throughout Cape Charles. Any photograph that considers negative impacts to historic features is from examples outside of the town.**

BOARD REVIEW

8.1 REDUCING RISK

The guidance in this chapter is designed to assist design professionals, property owners and the Historic District Review Board (HDRB) in efforts to protect buildings within the Cape Charles Historic District Overlay from flood events in the most efficient and effective ways possible, while also minimizing impacts to the historic integrity and character of individual properties and the district as a whole. It is important to underscore that contributing (historic) and noncontributing (non-

historic) properties are addressed differently in this chapter, as a wider array of options are afforded to historic properties by regulatory agencies. For more information related to floodplain requirements within the Cape Charles Historic District Overlay, contact the Town's Floodplain Manager.

The guidelines have been developed using guidance provided by the Federal Emergency Management Agency (FEMA), which administers the National

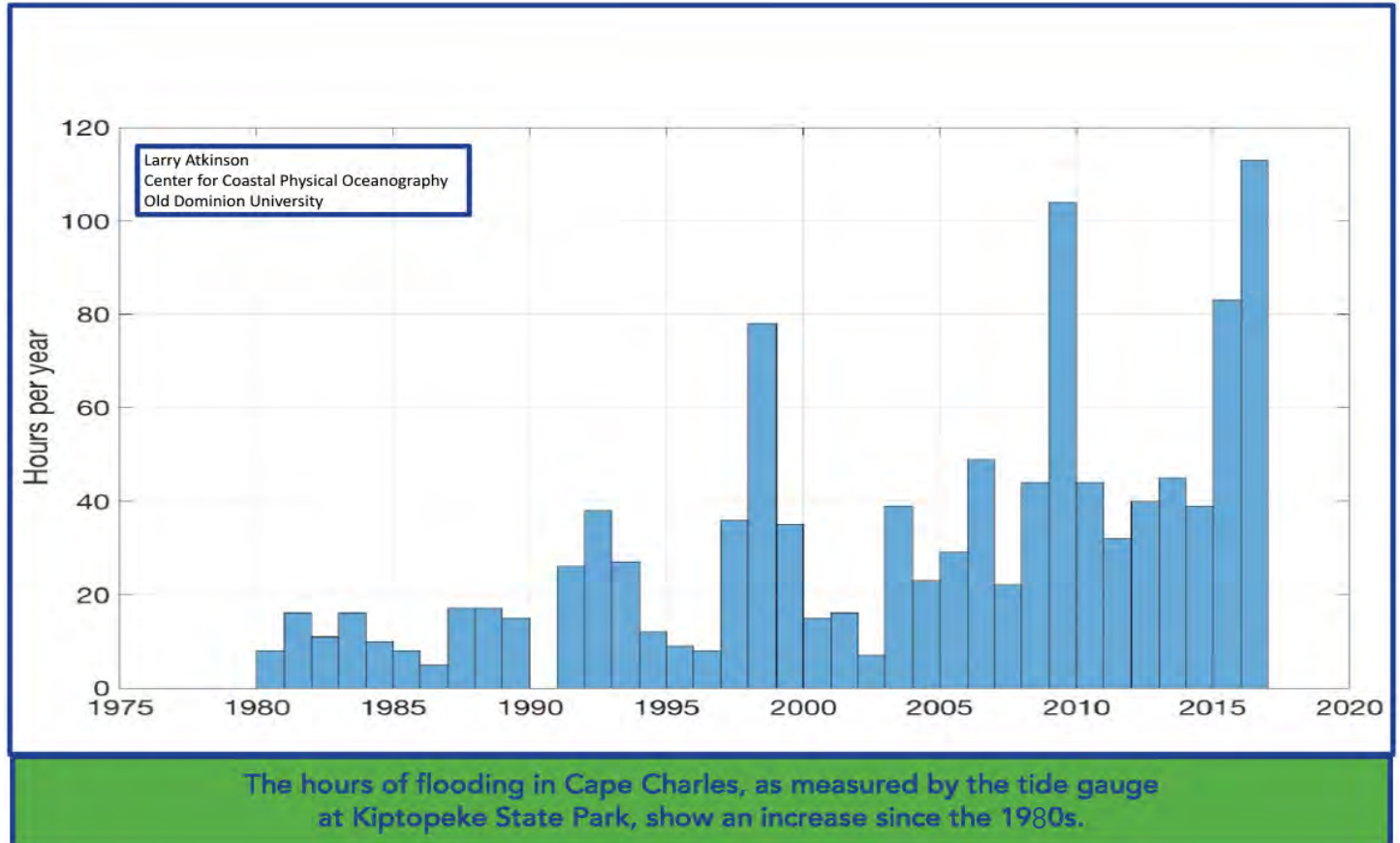


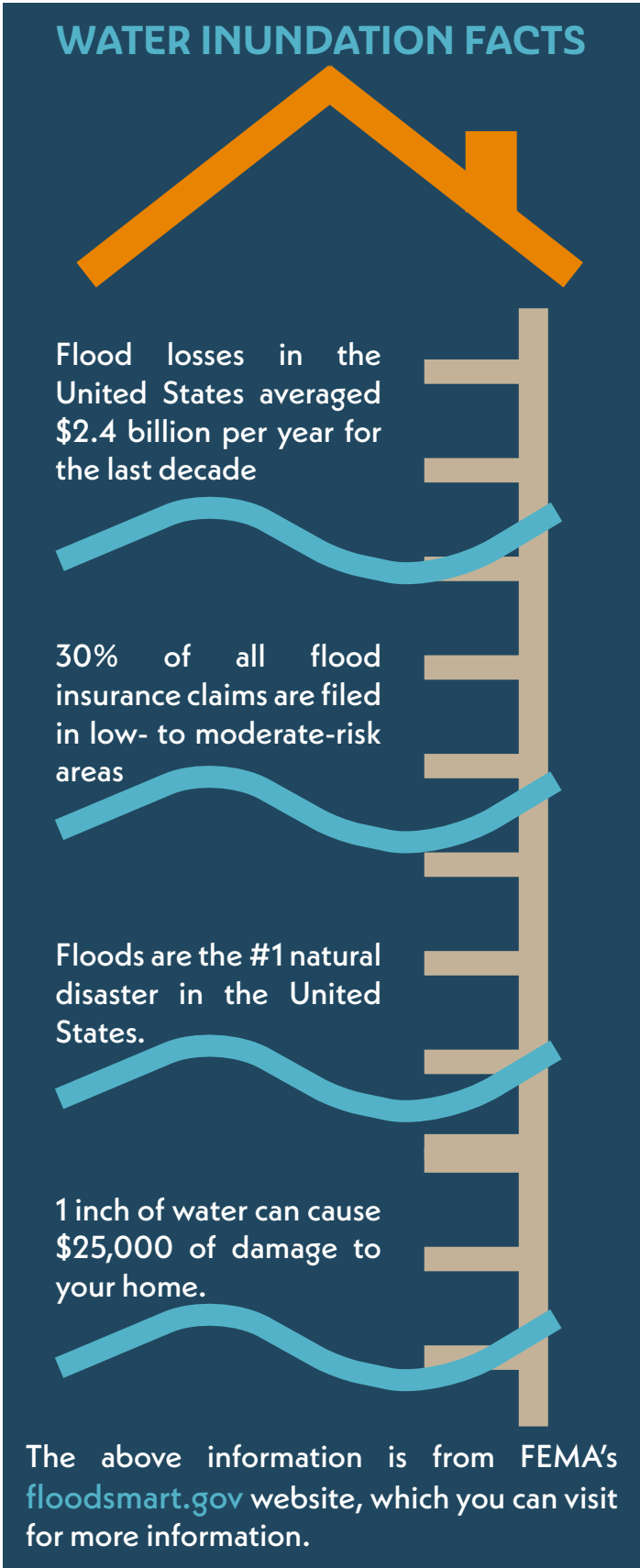
Figure 8.1 - An Old Dominion University project in 2017 documented the hours of flooding in Cape Charles, illustrating the continual increase in hours per year since 1980.

Flood Insurance Program (NFIP) and is a nationally-recognized leader in regulatory practices for flood retrofit design. Guidance from the National Park Service's (NPS) Technical Preservation Services, particularly the Guidelines on Flood Adaptation for Rehabilitating Historic Buildings (released in 2021), as well as from emerging best practices as documented through research and fieldwork, have also been reviewed and cited in this section, particularly in relation to the treatment of historic properties in flood zones.

The Cape Charles Historic District Overlay falls within four different flood zones due to its proximity to the Chesapeake Bay coast:

- X-Zone – Low risk area outside of the Special Flood Hazard Area
- X-Shaded - .02% annual chance of a flood. No Base Flood Elevations are shown for this zone and flood insurance is not required.
- AE Zone – 1% annual chance of a flood. Base Flood Elevations are determined. Mandatory purchase of flood insurance is required.
- V Zone – Coastal area designation with increased chance of flooding.

WATER INUNDATION FACTS



Flood losses in the United States averaged \$2.4 billion per year for the last decade

30% of all flood insurance claims are filed in low- to moderate-risk areas

Floods are the #1 natural disaster in the United States.

1 inch of water can cause \$25,000 of damage to your home.

The above information is from FEMA's [floodsmart.gov](https://www.floodsmart.gov) website, which you can visit for more information.

Velocity wave action could be present. Mandatory purchase of flood insurance is required.

Another important variable to account for is the frequency and duration of potential flooding:

8.1.1 FLOOD CONSIDERATIONS

Understanding the fundamental risks presented by flooding is a critical precursor to implementing any retrofit design. The types of water inundation that impact historic resources include:

- Inland and tidal overflow
- Runoff and stormwater management
- Land subsidence and shoreline erosion
- Wave and current action
- Rising water tables and groundwater penetration
- Storm intensity and frequency

- Nuisance Flooding
 - Sunny day events
 - Storm drain blockage/overflow
 - Infrastructure damage
 - Rising groundwater levels/subsidence
 - Impacts of development and/or retrofits from adjacent properties

- Event-based flooding
 - Waterway overflow
 - Storm surge
 - Infrastructure failure
 - Impacts of development and/or retrofits from adjacent properties



Figure 8.2 - A diagram from the National Oceanic and Atmospheric Association illustrates a storm surge.

The frequency and duration that water breaches a building has a direct impact on the integrity of the resource, the budget and intensity of intervention warranted, the quality of life for owners and users of historic properties, and the planning horizon for the viability of the building. Incorporating these factors are critical to planning a successful retrofit.

These different scenarios each present specific challenges and varying impacts to historic resources. Therefore, identifying the particular risk for a historic property is critical to planning a successful retrofit. Current threats to the Cape Charles Historic District Overlay include:

- **Storm surge:** This is a threat on the beach and harbor sides of Cape Charles, particularly as substantial storms move into the Chesapeake Bay and displace water into the Historic District Overlay.
- **Storm water runoff:** This is the greatest threat to the Historic District Overlay, as storm water from the district runs directly into the Chesapeake Bay; during flood events, particularly during high tide, storm water cannot be shed from the district and settles into low lying areas.

- **Beach erosion:** Shoreline erosion during major storms removes the physical buffer between the Bay and the Historic District Overlay.

These threats will be further exacerbated by sea level rise in the future, as water levels continue to rise and the threshold for water inundation decreases.

Did you know?

Storm water runoff picks up a number of contaminants like oils, chemicals, bacteria, and trash. With no means of water treatment, these end up in groundwater, rivers, lakes, and oceans. It can also settle in low lying parts of the neighborhood and create potential health issues. Storm water runoff also carries away important nutrients in the ground and sediment that erodes and settles elsewhere.



(nj.com, unknown)

Figure 8.3 - Beach erosion is becoming a major issue with coastal communities, especially those with buildings close to the shoreline or reliant on beach tourism for income.

8.2 PLANNING FOR FLOOD MITIGATION

Typically, property owners follow FEMA's best practices in development of retrofit designs. However, FEMA has acknowledged that the best practices may at times preclude a building from retaining its historic status or may undermine the physical and architectural integrity of the resource. The guidance documents below set forth FEMA's recognition of the special considerations for retrofitting historic buildings:

- FEMA. "[Reducing Risk to Residential Buildings That Cannot Be Elevated.](#)" FEMA P-1037. September 2015.
- FEMA. "[Homeowner's Guide to Retrofitting: Six Ways to Protect Your Home from Flooding.](#)" FEMA P-312, 3rd Edition. June 2014.
- FEMA. "[Flood Damage-Resistant Materials Requirements.](#)" Technical Bulletin 2. August 2008.
- FEMA. "[Engineering Principles and Practices for Retrofitting Flood-Prone Residential Structures.](#)" FEMA P-259. January 2012.

8.2.1 RETROFIT ALTERNATIVES

The guidance provided by FEMA for appropriate retrofits acknowledges that historic properties perform differently and, as a result, are not always well



Figures 8.4 A & B - Flooding like the 2017 storm (photographed by the Cape Charles Mirror) could become more common as storms strengthen and sea level rise becomes a persistent issue.

served by recognized best practices. Therefore, they enable localities to either provide exceptions to typical compliance requirements for historic properties, or to provide exemptions to compliance requirements. These guidelines have adopted the Exemption option for Substantial Improvements to historic buildings to be in alignment with the Town of Cape Charles' Floodplain Ordinance. It is important to understand

that the exemption option specifically exempts historic properties from FEMA requirements if the standard FEMA mitigation options are inappropriate for the historic property; and, if the proposed alternative retrofit design is approved by the local Floodplain Manager as providing an adequate level of protection through alternative means.

In order to apply for the Exemption for Substantial Improvements to historic buildings, the applicant must fill out the application form provided by the Town of Cape Charles. In the application, specific details must be provided outlining why meeting the standard requirements of the Floodplain Ordinance would adversely impact the historic nature of the building. Once complete, the application is submitted to the Floodplain Manager, who will determine if the exemption request is reasonable per specific building conditions and analysis of the information provided. If approved by the Floodplain Manager, the retrofit designs for properties in the Cape Charles Historic District Overlay must also be reviewed and approved by the HDRB, based on the guidelines below. If approved by the HDRB, the Floodplain Manager will authorize the exemption and stipulation based on HDRB's findings.

The Design Guidelines presented below encourage adoption of FEMA recommendations when feasible, but recognize alternative retrofits are often necessary for historic properties. The alternative proposals should be well-conceived and justified, and should be monitored for effectiveness after installation.

Guidelines for development and review of alternative retrofit proposals are incorporated below and provide a framework for property owners, design professionals and the HDRB to follow.

8.3 PLANNING FOR FLOOD RETROFITS TO CONTRIBUTING PROPERTIES

The first step for initiating a retrofit design for a designated historic property is to consider the specific property's individual flood risks, the property owner's capacity and goals, and material composition and integrity of the subject resource. The property owner and design team should consider FEMA- and NPS-recommended retrofits, and alternative options, in the following context:

- Establish whether the resource is contributing or noncontributing to determine whether it is eligible for a FEMA exemption
- Assess flood risks for subject property (current and future)
- Determine timeframe desired for flood protection
- Determine the current damage/deterioration from water inundation and flooding
- Evaluate the magnitude, frequency and duration of future risk for the property
- Consider the long-term outlook for property viability, public policy impacts, and financial capacity of the property owner

The first step in project planning is to consider FEMA NFIP-endorsed strategies and approved retrofit options. These

options are recognized by federal, state and local governments as appropriate and are therefore eligible for flood insurance rate reductions and are considered the appropriate starting point for retrofit planning.

Dryproofing* This path envisions protecting the building by preventing water infiltration. This is the default approach for residential buildings that are not eligible for a FEMA exemption. It requires the building to be sealed during flood events and, therefore, is best deployed in scenarios with short and infrequent flood risk, and for properties where it is feasible to prevent water from breaching the exterior envelope.



Figure 8.5 - Flood gates at the building's openings are an example of dryproofing.

Wetproofing* This option is available for properties eligible for the FEMA exemption. It contemplates preventing or minimizing damage by allowing water to freely flow into a building, and ensuring the building materials are durable and resilient against short term water damage. This option is good for properties that are at risk for event-based flooding which cannot be properly dryproofed. Wetproofing is generally more acceptable for non-residential properties, or non-residential first-floor spaces.

**Note that there are scenarios where a hybrid of wet- and dry-proofing have been utilized.*



Figure 8.6 - Flood vents that allow water to move under the building is an example of wetproofing.

8.3.1 DESIGN GUIDELINES FOR FEMA/NFIP-APPROVED RETROFIT ALTERNATIVES (FOR CONTRIBUTING & NONCONTRIBUTING RESOURCES)

Basement Fill

1. Determine foundation and building walls possess sufficient structural capacity to accommodate lateral forces introduced with new fill.
2. Determine source of flooding and confirm filling the basement will not invite water to undermine integrity of foundation material.
3. Assess groundwater levels to ensure there is no risk of absorption of groundwater into foundation walls.
4. Ensure grading promotes runoff away from the building (both on site and in larger geographic area).
5. Ensure downspouts and leaders are a proper distance from foundation walls.
6. Avoid eliminating holding space for stormwater management (i.e. excess water) by infilling basement without compensating elsewhere on site.
7. Ensure that infill material is reversible.
8. Monitor foundation wall structural integrity and moisture levels for a minimum of 3 months post retrofit.
9. Utilize existing openings in the building to introduce infill material. If no openings exist, establish openings in

minimally visible areas. Utilize a simple hatch to seal and allow future access for visual inspection.

10. If existing openings must be sealed as a result of basement infill, retain historic features and seal from behind to avoid altering the historic exterior of the building.

Install Flood Vents

1. Evaluate topography to ensure the building is sufficiently high on the site or street to prevent ponding resulting in stagnant water under the building. Avoid installing flood vents on buildings at the low point, as that will invite standing water under the building.
2. Ensure the source of flooding is flowing water that can pass freely post event.
3. Ensure proper grading under crawlspace and around foundation prior to installation of flood vents.
4. Provide a sump pump (if needed) to eliminate excess water below flood vents within crawl.
5. Avoid undermining the structural integrity of the foundation wall when inserting flood vents.
6. Ensure vegetation is properly cut back (and regularly maintained) to prevent vegetative growth into flood vents.
7. When sizing and locating flood vents, minimize the visual impact by concealing

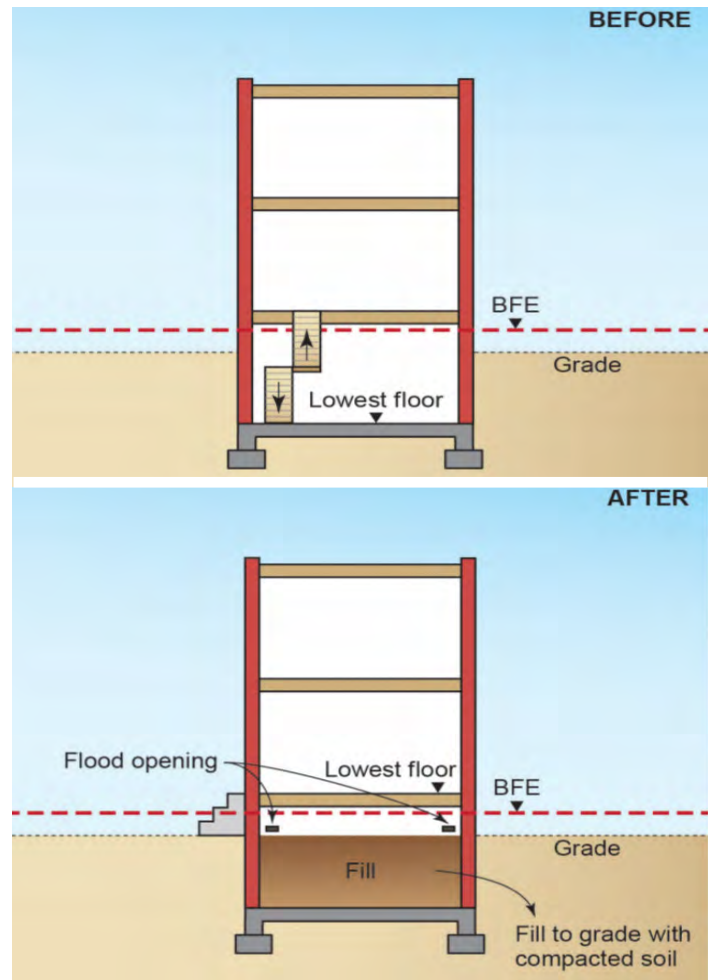


Figure 8.7 - A before and after diagram of basement infill from FEMA's "Reducing Flood Risk to Residential Buildings that Cannot be Elevated" publication.

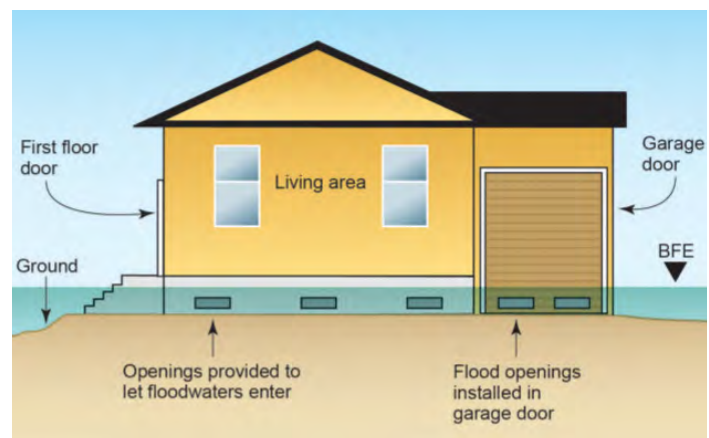


Figure 8.8 - A diagram of flood vents from FEMA's "Reducing Flood Risk to Residential Buildings that Cannot be Elevated" publication.

flood vents behind existing site features and landscaping, or placing them in minimally visible areas.

8. Paint flood vents to match foundation walls to minimize their visual impact.

Raise Mechanical Systems

1. Ensure mechanical systems are well protected above design flood elevation.
2. If necessary, utilize water-resistant components for select vulnerable portions of mechanical systems (e.g., limited sections of waterproof ductwork can be more cost-effective than wholesale system replacement).
3. When feasible, group all elevated mechanical equipment in one location.
4. Situate elevated mechanical systems for minimal visual impact to the historic building by locating on them on secondary elevations and avoiding conflicts with windows, porches, or design features.
5. Where feasible, screen elevated mechanical equipment with appropriate screening materials; for guidance on appropriate screening see [Chapter 9, Site Features and Appurtenances](#).

Raze

It is rarely appropriate to raze a historic building that is structurally-sound and does not present a life safety hazard. If

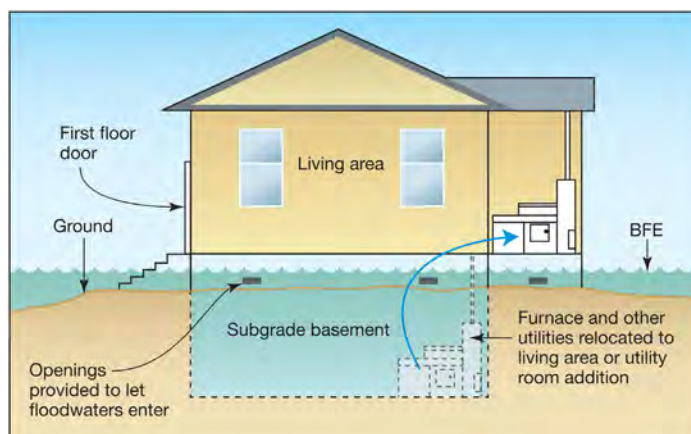


Figure 8.9 - A diagram of raising mechanical systems from FEMA's "Reducing Flood Risk to Residential Buildings that Cannot be Elevated" publication.



Figures 8.10 A & B - Exterior mechanical equipment needing to be raised should be located out of view from the public right-of-way and freestanding (A). Attaching brackets to a historic building (B) is not recommended as it can strain and damage the structure.

attempts to adapt the building to be more resilient against flood events are ultimately unsuccessful, including relocating the building to outside the flood risk area, it may be appropriate for the building to be demolished. In such instances, properly document the assessment of imminent flood risk to the building and the justification for razing, and then follow all guidelines in [Chapter 10, Demolition and Relocation](#).

Elevate

In limited instances, elevating a historic building is appropriate. When evaluating elevation, consider the structural and functional viability of the building along with the frequency and duration of risk, as well as economic analysis. Elevation should only be considered when no other less-invasive solution will adequately protect the building. The visual impact of elevating a building can be mitigated through careful design of the foundation, addressing impacts to first-floor features, and consideration of landscape and site planning that reduces visual effect. Furthermore, the overall impact of elevation is related to the magnitude of the elevation. Therefore, carefully consider the extent of the proposed elevation change when considering elevation.



Figures 8.11 A & B - Elevating a historic home significantly alters its appearance and historic materials (A). It is also an extremely costly and delicate procedure and should be a last-resort measure for historic buildings (B).

Proposals to elevate should demonstrate consideration of the relationship of the elevated building to existing historic site features (adjacent buildings, walls, fences, etc.). Consideration should also be given to adjacent streetscape, scale, and building patterns.

1. Demonstrate consideration of other alternatives:

- a. Wetproofing
- b. Dryproofing
- c. Relocation of building to another part of site
- d. Limited grading or introduction of offset retaining walls
- e. Green infrastructure solutions

2. General Guidelines:

- a. Maintain appropriate relationship of primary entrances to site
- b. Retain and continue use of existing circulation patterns
- c. Utilize design features and materials in keeping with the building to minimize the impact of elevation on overall visual character
- d. Extend siding over new foundation, if appropriate
 - i. Maintain the relationship of windows to each other and the site
 - ii. Employ design decisions to reduce the visual impact of the

mass of the new foundation wall

iii. Utilize proper site and landscape design techniques to reduce required elevation and/or visual impact

- a. Retain and preserve historic staircases, handrails, and porches
- b. Retain and reuse foundation material and detailing
- c. Ensure that the new foundation material and design is of comparable quality to the historic material and design



Figure 8.12 - Concrete block is exposed and a new modern stair/deck is disproportionate to the rest of the building. This is a dramatic and visually intrusive solution.

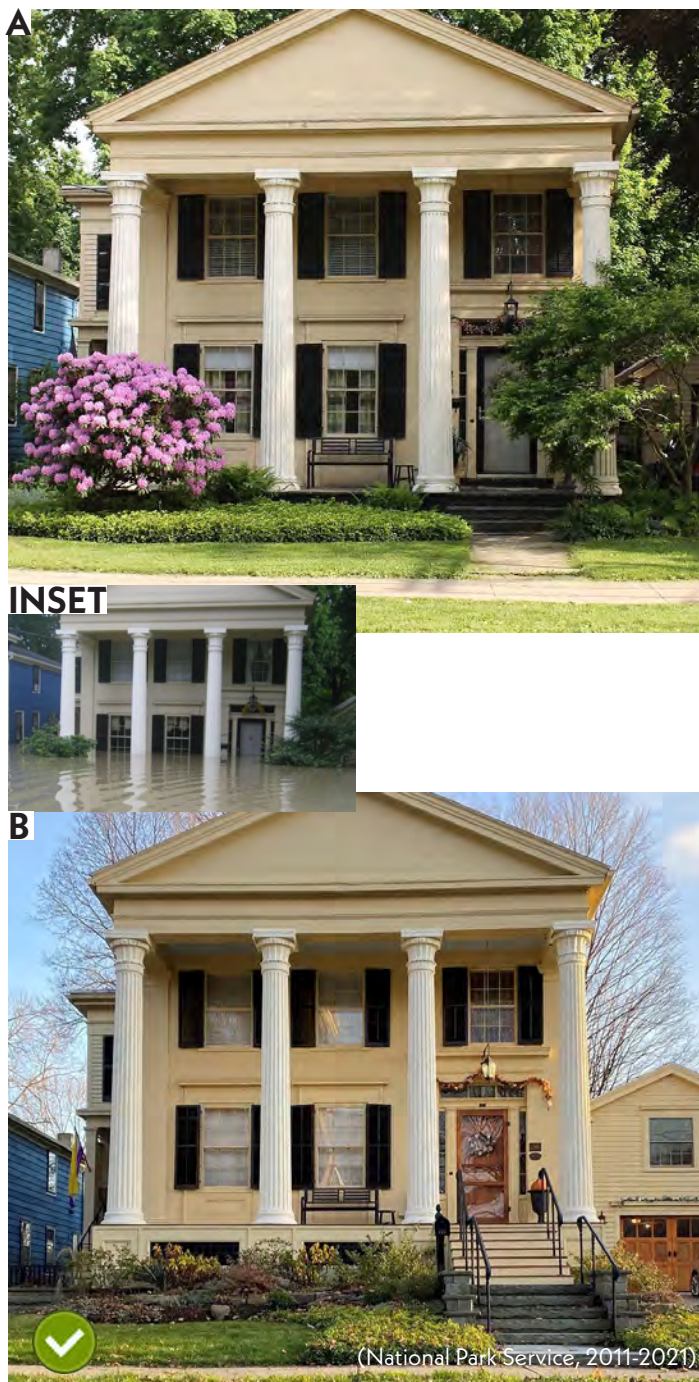
- d. Consider the relationship of elevated building to adjacent buildings and mitigate visual impacts resulting from elevation
 - e. Retain and extend chimneys
 - f. Retain gardens, walls, and site features
 - g. Retain and preserve historic fenestration patterns
 - h. Ensure eave heights are addressed and visually logical
 - i. Retain and preserve historic stair configuration when such feature is character-defining and its preservation is technically feasible
 - j. Protect floor-to-floor relationships to adjacent buildings and structures
3. Consideration of Foundation Details
- a. Utilize material and detailing that is in keeping with the historic foundation
 - i. Salvage and reuse historic foundation material wherever feasible
 - b. Ensure structural members are appropriately located for visual cohesion
 - c. Extend existing elements in design in new foundation design
 - d. When feasible, limit vent locations to secondary elevations and areas with minimal visibility
 - e. For foundations raised over 4'0", incorporate subtle relief in the foundation wall to break up its expanse
 - i. Introduce reveals in brickwork
 - ii. Consider a water table or decorative detail
 - iii. If a vent is necessary on the façade, consider a custom-designed cover in keeping with the historic character of the building
4. Consideration of Site Features
- a. Ensure the area under the building remains permeable with the use of sand or dirt, rather than traditional concrete paving.
 - b. Incorporate terraced landscaping to break up the visual impact of the elevation
 - c. Consider vegetative screening to reduce the visual impact of higher foundation
 - d. Retain historic site features, circulation patterns, and landscape materials

8.4 GUIDELINES FOR DEVELOPING ALTERNATIVE RETROFITS (HISTORIC BUILDINGS ONLY)

When the FEMA/NFIP alternatives for retrofitting a contributing/historic building for flood resiliency do not adequately address the specific site conditions and building needs, there is an option to apply for an exemption to FEMA/NFIP requirements. The exemption application process is designed to evaluate the appropriateness and effectiveness of the proposed alternative retrofits for the subject property. In other words, it does not exempt a property owner from pursuing retrofits designed to reduce risk; rather, it exempts the property owner from following FEMA-recognized practices when they are inappropriate for a historic building. Prior to considering an alternative retrofit, it is important to confirm that all appropriate preventative maintenance measures have been taken to protect the building from water and flood damage.

1. Maintenance and Repair Items

- a. Evaluate gutters and downspouts for effectiveness. Repair as needed.
- b. Ensure leaders are sufficient in length and pitched to direct water away from the building and its foundation.
- c. Evaluate grading to ensure water is directed away from the building.
- d. Ensure that there is an opportunity



Figures 8.13 A, B, & Inset - A before (A), during flood (inset), and after elevation (B). Notice how the historic building is retained with minimal impact to its appearance. The land has been built up slightly around the property to reduce the height of the lifted elevations. Flood vents are strategically placed between the columns, and the new stair is simple in design.

for groundwater and vapor to escape crawl space and foundation walls.

- e. Properly seal and flash any openings in basement or crawl space walls to prevent introduction of water.
 - f. Ensure sump pumps are working properly.
 - g. Ensure that there is sufficient (2' minimum) clearance of vegetation and impervious material from your foundation wall to facilitate evaporation.
 - h. Ensure HVAC drainage is directed away from the building
 - i. Remove moisture/vapor barriers where inappropriate,
 - j. Where feasible, replace a failing moisture barrier with a vapor-permeable membrane
 - k. Install perimeter drain where needed
2. Design Guidelines for Alternative Retrofits
- a. Document the local, state, and/or National Register designation of historic building.
 - b. Document the flood zone and base flood elevation (BFE) for the historic building.
 - c. Document the flood risk and/or damage occurring to the historic building.
 - d. Document the detrimental impacts or inadequacy of FEMA/NFIP-approved

retrofits to address specific flood risks and damage for the historic building.

- e. Provide proposed alternative retrofits, including design details, materials, and anticipated outcomes.
- f. Provide justification for how the proposed retrofit specifically addresses documented risk to the building.
- g. Provide justification for how design of the retrofit protects the historic integrity and character of the building.
- h. Provide information about how the proposed retrofit meets the building treatment Design Guidelines found in Chapter 5, Contributing/Historic Building Treatment. If any elements deviate, address why those incongruencies are necessary to address flood risk.

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CAPE CHARLES HISTORIC DISTRICT OVERLAY DESIGN GUIDELINES

9

SITE FEATURES & APPURTENANCES

The transition that occurs between the street and building and extends from public to private spaces is an important characteristic of residential neighborhoods and commercial corridors. This chapter addresses these transitional spaces. Site refers to the property surrounding an individual building, while setting refers to the broader neighborhood surrounding the building's site. A building's site and setting should:

- Maintain a separation between public and private spaces;
- Enhance the architecture through designed exterior environments;
- Create opportunities for personal expression that do not permanently impact the surrounding district.

The size of the site and character of the setting of a building will differ based on the building's use and location within a district. Residential sites are typically larger and possess a different character than buildings within the commercial core. Within the Cape Charles Historic District Overlay, commercial buildings along Mason Avenue have very little (if any) unimproved land, as they are often constructed to the lot lines on at least three sides.

***Please note: Examples found in the following chapter include best practice photographs, most of which have been found throughout Cape Charles. Any photograph that considers negative impacts to historic features is from examples outside of the town.**

9.1 HARDCAPING (DRIVEWAY, WALKWAYS, & OTHER PAVING)

Hardscaping refers to the hard surface areas of a site, including but not limited to parking areas, driveways, walkways, paths, steps, and other paved surfaces. These site features should be in keeping with the historic character of the individual site, as well as that of the surrounding district.

1. Retain existing historic paving materials. Replace damaged or missing areas of paving with materials that match the original paving.
2. Demolition of historic buildings, structures, or site features for the purpose of adding new hardscaping should be avoided.
3. New parking areas and driveways should be placed at the side and rear of properties to limit visibility. Placement of any off-street parking space should be behind the primary plane of the facade. Driveways should be accessed from the alley or situated to the side of the dwelling.
4. Appropriate materials for new paving include ribbon paving, gravel or pebble paving, compacted oyster shells, and brick. Concrete is appropriate, but should be scored or exposed aggregate. Asphalt paving should be avoided unless there is historic precedent for the material on the individual site.
5. Parking that is not concealed by adjacent buildings or site features should be screened by landscaping or low knee walls to provide a buffer between the street and the building.

222 Randolph Ave



Figure 9.1 - Compacted oyster shells or pebbles are appropriate materials for new driveways. They help mitigate water issues with their porous surface, promoting better drainage.



Figure 9.2 - New parking areas should not be placed in front of buildings as shown above. Instead, placement at the sides and rear to meet the alleyway is more appropriate.

9.2 FENCES & FREESTANDING WALLS

1. Retain historic fences, walls, and hedges. Replace missing or damaged fencing and walls with new materials that match the historic. If large amounts of historic decorative fencing are missing, carefully salvage the remaining portions to the maximum extent possible and install at the front or prominent sides of a building, and replicate the missing material.
2. For new fencing, the material, style, and height should be in keeping with the character of the associated building's architectural style, as well as the surrounding district. All fencing and freestanding walls should meet the provisions of the [Town of Cape Charles Zoning Ordinance, Article IV, Section 4.2.G, Fences and Walls](#). The guidelines below offer further direction for the Cape Charles Historic District Overlay:
 - a. For interior lots, fence height maximums are as follows:
 - i. Rear yard: Not to exceed 6 feet
 - ii. Side yard: Not to exceed 4 feet
 - iii. Front yard: Not to exceed 4 feet
 - b. For corner lots, fence height maximums are as follows:
 - i. Rear yard: Not to exceed 6 feet
 - ii. Side yard: Not to exceed 4 feet
 - iii. Corner Side Yard
 - iv. Front yard: Not to exceed 4 feet

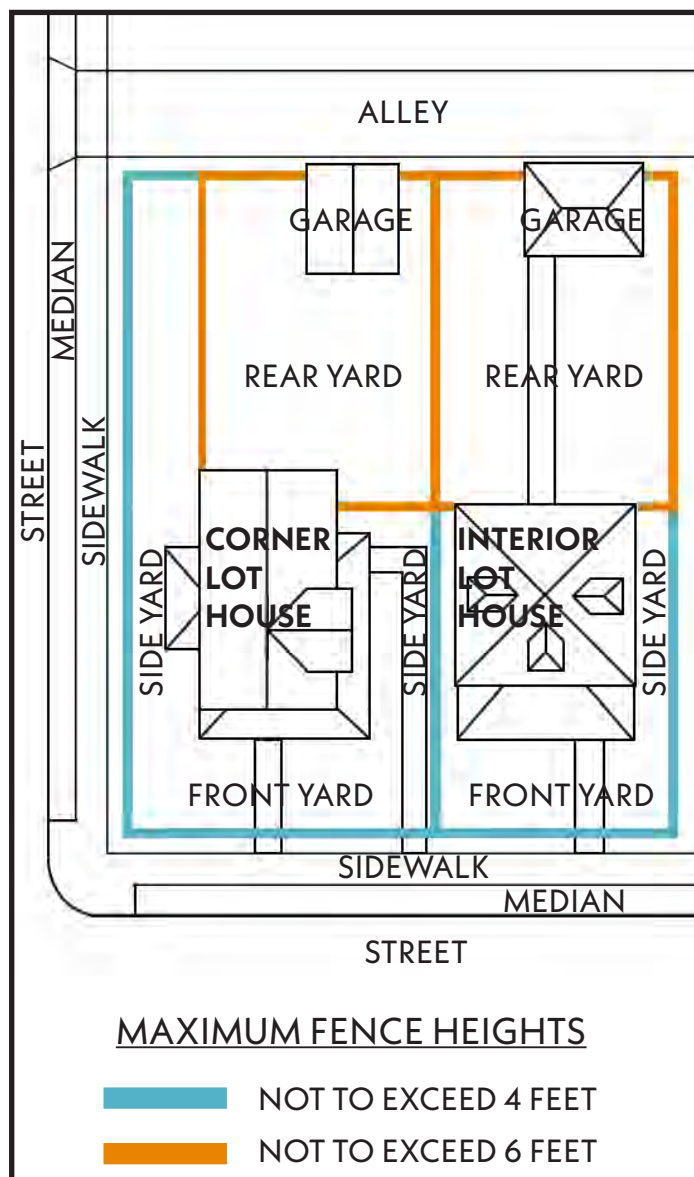


Figure 9.3 - The above diagram shows the locations for maximum fence heights at a corner lot (left) and an interior lot (right). Fences should also be inset 2 feet from any sidewalk, alley, or public right-of-way.

c. Appropriate new fencing materials include:

i. Vertical wood pickets; wood fences may be painted or stained.

ii. Common types include:

- 50-100% transparent: Common Picket, Dog Ear Picket, Gothic Picket, Angled Picket
- 0-49% transparent: Solid Board Dog Ear, Solid Board Gothic, Solid Board Picket, Shadowbox, Framed, Arched, Scalloped

iii. Wrought or cast iron or metal tubular to mimic iron in a simplified design.

iv. Traditional wire fencing.

iv. Common types include:

- Staggered Traditional, Traditional, Modern

d. Inappropriate fencing types include:

i. Vinyl, PVC, or synthetic fences unless meeting the requirements outlined in [Chapter 7, Alternative Materials](#).

ii. Chain-link fencing in front yards or side yards of mid-block lots.



Figure 9.4 - Gothic Picket wood fence which is roughly 50% transparent.



Figure 9.5 - Scalloped wood fence which is 0% transparent. These types of fencing are more appropriate for rear yard areas.



Figure 9.6 - The above photograph is an example of traditional wire fencing common in the Victorian era and appropriate for use.

9.3 DECKS, RAMPS, & PATIOS

1. Decks and patios should only be constructed at the rear of a building, unless there is historic evidence that these features existed in a more prominent location on the site within the district's period of significance.
2. Limit physical impacts to the historic primary building when installing decks or pergolas/canopies over patios by designing these structures to be freestanding to avoid direct connections to the building itself. If direct connections to the historic building are necessary for structural stability, minimize the size and number of connections.
3. Ramps can be installed at the front of a building as needed to meet ADA requirements and provide access. The following guidelines should be met to ensure these added features do not impact the character or integrity of the historic building:
 - a. Do not remove or alter any historic features of the building when installing a ramp.
 - b. Do not anchor the ramp to the exterior of the building unless the connection is reversible.
 - c. Construct the ramp with as much freestanding structure as possible, using materials that are in keeping with the character of the building.
4. Use permeable surfaces such as gravel or permeable pavers to facilitate drainage from the site and away from the building.



Figure 9.7 - This ADA ramp is sympathetic to the building's historical design. It is simple in design and material and placed along a secondary elevation with access to front porch from the side. If it is eventually removed, the balustrade can easily be replicated and reinserted.



Figure 9.8 - Decks should not be constructed at the front of the building or attached to front porches, as shown above. It detracts from the historical features and creates a false sense of what the house historically looked like.

9.4 APPURTENANCES

This section provides guidelines for the addition of modern appurtenances necessary to facilitate technology and utility infrastructure. These include, but are not limited to: fuel tanks, water heaters, gas and electrical meters, satellite dishes or antennae, small cellular facilities, exterior mechanical units (air handlers, generators), site-mounted solar panels, as well as personal utility structures such as trash enclosures and outdoor showers; sheds are addressed separately in [Chapter 6, Accessory Structures](#). Some of the appurtenances outlined in this section may also be roof-mounted; for those instances,

the guidance for Roofs should be consulted to ensure the placement/location and mounting method is appropriate.

1. New appurtenances should be placed at the rear of the building and out of view from the public right of way to the maximum extent possible. This includes satellite dishes, which is also regulated in the [Cape Charles Zoning Ordinance Section 4.8\(A\)\(2\)](#).
2. All new conduit, piping, cabling, junction boxes, and other connections from the appurtenances to the primary building should be concealed underground

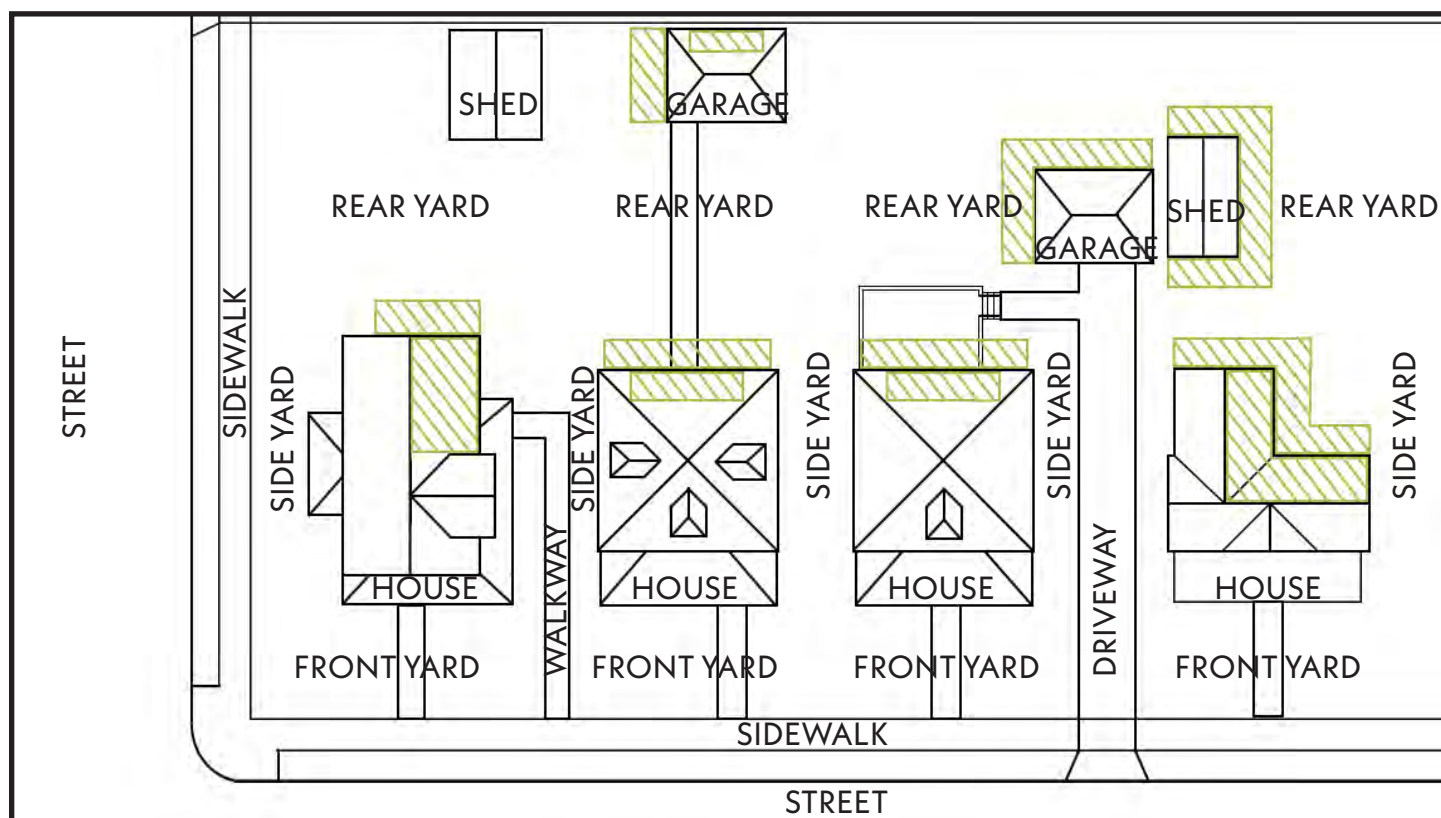


Figure 9.9 - The above drawing illustrates some example areas to place appurtenances. However, all new items and proposed placements should be reviewed through the Zoning Administrator of HDRB.

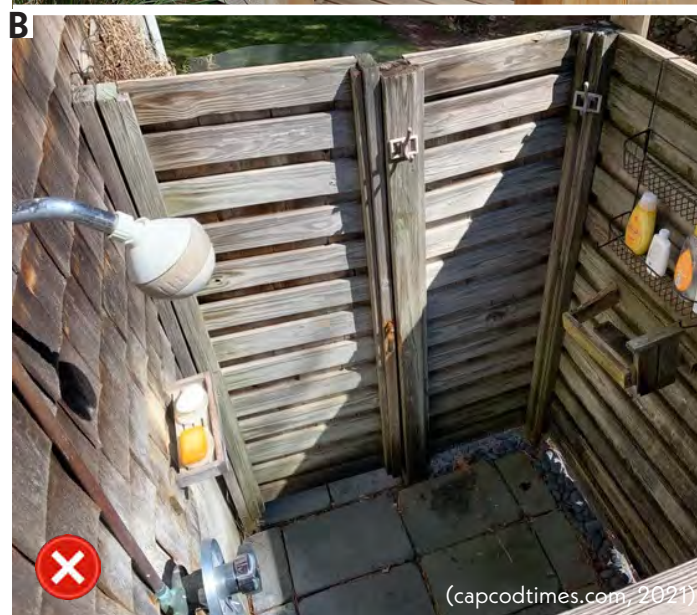
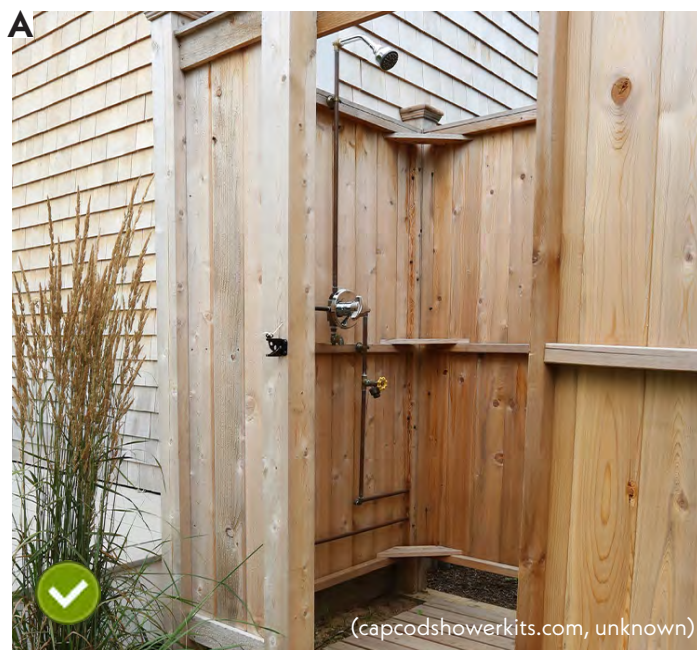
or within the wall cavity, and not be exposed and visible from the public right-of-way.

- a. When it is not feasible to fully conceal the connections, they should be consolidated and placed in the least visible location. Documentation outlining the constraints with concealment of the connections should be provided along with the planned solution for Historic District Review Board (HDRB) review.
3. If new appurtenances cannot be placed at the rear of the building, landscaping or other appropriate screening should be utilized to limit the visibility of modern exterior utilitarian features from the public right-of-way.
 - a. Screening should follow the material standards of fencing; this includes wood boards, wrought or cast iron, tubular metal and chain link (in rear yards only), brick, or live hedges. Height should be limited to what

is necessary to conceal the new appurtenance from the public right-of-way.



Figure 9.10 - Satellite dishes should not be placed at the front of a building, as shown here.



Figures 9.11 A & B - The top outdoor shower has a built-out wood wall between the water and the historic shakes to protect from added moisture. The shower at the bottom has no protection and the shakes are visibly damaged from the added water and wear against them.

9.5 LANDSCAPING

Landscaping within the Cape Charles Historic District Overlay must meet:

- **Cape Charles Zoning Ordinance, Article IV Section 4.4, Landscaping and Screening Regulations**
- **Cape Charles Zoning Ordinance, Appendix F, Tree Conservation and Preservation Ordinance**

In general, landscape review is considered a minor action exempted from review by the HDRB as noted in Cape Charles Zoning Ordinance, Article VIII, Section 8.17, but is a required component of the site plan review for the zoning clearance needed to obtain a building permit. The following guidelines provide further direction for landscaping within the locally designated Cape Charles Historic District Overlay.

1. Historic landscape features, formal gardens, and mature plantings, such as trees and hedges, should be retained. Maintenance of these features should be undertaken in a manner that does not negatively impact the overall appearance, health, and character of the historic landscape feature.
2. New landscape features, including exterior and landscape lighting and new plantings, should be visually compatible with the primary historic building and the surrounding Cape Charles Historic District Overlay.
3. Ponds or water features should only be added to front yards if there is historic precedent or documentation to support the proposal. Where water features are in place, proper systems of

A 403 Tazewell Ave



B 401 Mason Ave



(CPG 2022)

Figures 9.12 A & B - The above photographs show appropriate landscaping that is visually compatible with the building and enhances the surrounding Cape Charles Historic District Overlay.

water movement must be used to avoid stagnant water.

4. New plantings should be installed so as to not impact buildings. This includes being installed at a distance from buildings to ensure they do not attach or damage the building as they grow and to allow for adequate light and air flow. Plantings should be placed to ensure that the root and branch systems do not adversely impact the building envelope (including foundation, exterior walls, and roofs) of the adjacent building as the planting reaches maturity.



Figure 9.13 - Plants attached to historic materials can be detrimental to them. They hide possible deterioration and damage, impede repairs, trap moisture in their root system, and can weave into cracks making it difficult to remove. Using a trellis, frame, or wires installed near the building allows for the look, without the threat.

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CAPE CHARLES HISTORIC DISTRICT OVERLAY DESIGN GUIDELINES



10

RELOCATION & DEMOLITION

When a contributing building is lost from a Historic District, it impacts the district by diminishing its integrity. Removing a historic building from its original site and setting disconnects the building from the context in which it was meant to exist, resulting in the removal of its contributing status and any available incentives or protections. Relocation should be a final alternative, reserved only for historic buildings that face eminent threat of demolition. Likewise, demolition is strongly discouraged. All other alternatives should be explored before a contributing building is relocated or demolished.

**Please note: Examples found in the following chapter include best practice photographs, most of which have been found throughout Cape Charles. Any photograph that considers negative impacts to historic features is from examples outside of the town.*

BOARD REVIEW

10.1 RELOCATION

Relocating a contributing building in the Cape Charles Historic District Overlay requires a Certificate of Appropriateness (COA) from the Historic District Review Board (HDRB). The following factors should be considered and discussed with Cape Charles town staff *prior* to applying for a COA:

1. **Site and setting:** What options are there for relocation that provide a similar site and setting? Will the building or the overall district's integrity be negatively impacted by relocation? Are there appropriate vacant lots with similar context available within the district that can receive the building? These may include placement on the block (corner versus mid-block lot), adjacent setbacks (consistent or staggered), and lot size (width and depth).
2. **Structural integrity:** Will the process of moving the building negatively impact its structural integrity? Will the building survive the move?
3. **Threats to the resource:** Is moving the building the only way to save it from demolition? Will the building be moved within the district or to a location outside of the district? If the building is to be moved from the district, can restrictions be placed on it to ensure its preservation in its new location?



(Truebeck Construction, 2019)

Figure 10.1 - As discussed in Chapter 3, the setting around a building can be a character-defining feature. A new site should be carefully selected.



(Pinterest, unknown)

Figure 10.2 - Often, buildings will be separated for relocation, potentially damaging the structure and compromising the historic integrity.



(Bizjournals.com, 2018)

Figure 10.3 - It is a large undertaking to relocate a historic building, and if approved, should be done so with great consideration and planning.

10.1.1 GUIDELINES FOR RELOCATION

1. Document the threat. Demonstrate why the building cannot remain in its historic location.
2. Secure a site that is compatible with the character of the original site. Considerations should include setback, lot size, orientation, and relationship to surrounding resources.
3. Protect character-defining features of the building prior to the move. If feasible move the building as a single unit, rather than dissecting it, which could result in the loss of historic material. Carefully plan the move route to take into account trees and other vegetation, power lines, and other obstacles.
4. Contact the Virginia Department of Historic Resources to determine if the building can remain listed as contributing to the Virginia Landmarks Register and National Register listed Cape Charles Historic District if moved within the district;
5. Document the building in its historic setting prior to moving it – documentation should include photographs that fully record the exterior elevations of the building and the surrounding site;
6. Consider preparing measured drawings of the building if it is possible that substantial repairs will be necessary after the building is moved;
7. Identify an experienced company to relocate the building. Be sure to check their references.
8. Explore the potential for archaeological resources on the moved building site and the receiving site; consider hiring a professional archaeologist to examine the sites prior to relocation.

If a COA for relocation is granted by the HDRB, the following steps should be taken to prepare for relocation:

4. Contact the Virginia Department of Historic Resources to determine if the building can remain listed as contributing to the Virginia Landmarks Register and National Register listed Cape Charles Historic District if moved within the district;
5. Document the building in its historic setting prior to moving it – documentation should include photographs that fully

Noncontributing buildings may be proposed for relocation to or within the Cape Charles Historic District Overlay, provided that their new location does not negatively impact adjacent historic buildings or the overall character of the district. A COA is required from the Zoning Administrator prior to relocating noncontributing buildings within the district to ensure the placement and siting of the building is consistent with the surrounding district.

10.2 DEMOLITION

During the COA application process, the building and its integrity should be re-evaluated to determine if it still possesses the level of integrity required to be considered contributing to the district. If during this process it is determined that the building is no longer contributing, then the application and review process for a noncontributing building should be followed. Note [Article VIII, Section 23](#) of the Cape Charles Zoning Ordinance prohibits property owners from allowing their buildings to deteriorate due to neglect; property neglect is enforced by the Building Official through the use of fines.

If, however, the building is found to be contributing, the following factors must be considered before demolition can be approved:

1. Condition: Is the building structurally unsound or would it require unreasonable repairs to be deemed salvageable? In making the case for “unreasonable repairs,” use an accepted metric to quantify the limitations of the property owner to make the necessary repairs to ensure the longevity of the building.

2. Impact to Historic Integrity of the District: Will the removal of the building negatively impact the historic integrity of the district? How rare is the style or type of building proposed for demolition? Is it in a visible or prominent location within the district?

3. Proposed Use of Land after Demolition: What is the proposed land use after demolition? How does the proposed new land use fit in with the character of the district? Will the new use negatively impact the character of the district? How soon will the site be reused?



Figure 10.4 - Removing a building from the district creates a permanent hole in the historic fabric of the town. Too many of these holes will cause irreparable loss, eventually threatening the entire district's integrity.

10.2.1 GUIDELINES FOR DEMOLITION

1. Document the condition of the building to justify its removal and identify any existing hazards (structural unsoundness, abatement needs).
 - a. Provide reports from a professional discussing their findings; examples include a structural report prepared by an engineer or an abatement report. Any reports submitted should be signed by the professional who prepared them. Information included in the reports should detail the on-site conditions that support demolition.
 - b. Provide a cost analysis of the expense of rehabilitation versus fair market value of property.
 2. Discuss alternatives to demolition with Cape Charles town staff and the Historic District Review Board.
 - a. Redesign the project to eliminate the need for demolition.
 - b. Redesign the project to incorporate the building.
 - c. Sell the building.*
 - d. Relocate the building within the district.
 - e. Relocate the building outside the district.
- * After the denial of a COA for demolition, the property owner must try to sell the building as required by

Article VIII, Section 8.21 of the [Cape Charles Zoning Ordinance](#), which is in compliance with Virginia State Code 15.2-2306.

3. Identify the impact of the demolition on the subject property and any adjacent or surrounding properties.
 - a. Provide a streetscape analysis to illustrate how the removal of the building impacts the street and surrounding district.



Figure 10.5 - Fires and natural disasters are unfortunate events that can render a building unsalvageable. In these instances, proper documentation and approval are still necessary prior to demolition.

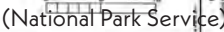
If a COA for demolition is approved by the HDRB, prior to demolition, the following steps are required to be taken at the property owner's expense:

1. Document the building and provide the materials to the Town of Cape Charles in order to record the historic building; documentation should meet Historic American Building Survey (HABS) Level III documentation, which includes a sketch plan, interior and exterior photographs, and a written history of the property. These should be provided to Town staff electronically.
2. Any new construction proposed for the cleared lot shall be in conformance with the New Construction Guidelines outlined in [Chapter 5.13](#) of this document and shall be approved by the Historic District Review Board prior to issuance of a demolition permit for the contributing resource.

Noncontributing buildings may be proposed for demolition. A COA is required from the Zoning Administrator prior to demolishing noncontributing buildings. The applicant should be prepared to document the condition of the building to justify its removal.



Figures 10.6 A & B - The two photographs above are examples of documentation photos at HABS-Level III documentation. Photographs of the overall exterior, detailed exterior, as well as interior photographs should be taken to document the building before demolition.



Cape Charles Historic District Overlay Design Guidelines: Chapter 10 10-7

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CAPE CHARLES HISTORIC DISTRICT OVERLAY DESIGN GUIDELINES

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APPENDIX A - GLOSSARY

A

ABUT: To be next to or have a common boundary or wall with; to touch or lean on.

ADAPTIVE REUSE: A use for a structure other than its historic use, normally entailing some modification of the structure.

AMERICAN BOND: See Bond (Masonry)

APPURTENANCE: An accessory or other item associated with a particular activity; in the context of design guidelines, these include, but are not limited to: fuel tanks, water heaters, meters, satellite dishes or antennae, small cell facilities, exterior mechanical units (like air-conditioning units), and modern conveniences like trash containers.

ARCHED DOOR: A door construction with a curve or rounded top; will vary in shape from semi-circular and semi-elliptical arches to bluntly or acutely pointed arches.

ARCHED WINDOW: A window construction with a curve or rounded top; will vary in shape from semi-circular and semi-elliptical arches to bluntly or acutely pointed arches.

ARCHITRAVE: The lower member of the entablature; the beam that spans from column to column, resting directly upon their capitals.

APRON: See Windows, Parts of

ARCHITECTURAL STYLE: A set of characteristics and features that make a building or other structure notable or historically identifiable.

ASYMMETRICAL: Having parts that fail to correspond to one another in shape, size, or arrangement; lacking symmetry.

AUTHENTIC OR TRUE DIVIDED LITES (ADL OR TDL): See Windows, parts of

AWNING: A sheet of canvas or other material stretched on a frame and used to keep the sun or rain off a storefront, window, doorway, or deck.

AWNING WINDOW: Windows that are hinged on the top and open outward from the bottom, allowing for ventilation and protection from the rain.

B

BALCONY: A projecting platform on a building, sometimes supported from below, sometimes cantilevered; enclosed with a railing or balustrade.

BALUSTER: One of a number of short vertical members, often circular in section, used to support a stair handrail or a coping.

BALUSTRADE: An entire railing system (as along the edge of a balcony) including the top rail and its balusters, and sometimes a bottom rail.

BATTEN: A narrow strip of wood applied to cover a joint along the edges of two parallel boards in the same plane; a strip of wood fastened across two or more parallel boards to hold them together.

BATTEN DOOR: A wood door without stiles which is constructed of vertical boards held together by horizontal battens on the back side.

BAY: The regular spacing of windows and doors.

BAY WINDOW: The window of a protruded bay; commonly the windowed bay itself, rising from the ground for one or more stories.

- **BOX BAY WINDOW:** A window shaped like a box, generally a rectangular one, protruding from the face of a building. With flat sides, a flat front, and some sort of roof, it is a common style of bay window.
- **ORIEL WINDOW (CANTILEVERED BAY WINDOW):** A bay window that projects from an upper floor, often supported from below with corbels or brackets.

BEAD JOINT: See Mortar

BELT COURSE (STRINGCOURSE OR SILL COURSE): A horizontal board across or around a building; usually masonry or a flat wood member with a molding.

BOX BAY WINDOW: See Bay Window

BRACKET: Any overhanging member projecting from a wall or other body to support a weight (such as a cornice) acting outside the wall.

BOND (MASONRY): A pattern formed by the way in which masonry is laid. Depending on the arrangement that the bricks are laid (header and stretcher side front) in each row (or course), it will create a specific pattern, described with the below terms:

- **COURSE:** An individual row of masonry construction
- **HEADER:** The short side of the brick face
- **STRETCHER:** The long side of the brick face
- **ENGLISH BOND:** A masonry bond with alternate courses of headers and stretchers
- **FLEMISH BOND:** A masonry bond where each course consists of an alternating pattern of headers and stretchers; each header is centered with respect to the stretcher in the course above and below.
- **STRETCHER BOND:** A masonry bond where all courses are made up of stretcher-laid bricks and the mortar joint of two bricks lines up with the center of the masonry above and below it.
- **AMERICAN BOND:** A masonry bond made up of multiple stretcher courses with a course of headers laid at regular intervals between the stretcher courses: typically, 3, 5, or 7 stretcher course will run between one header course.

BROKEN PEDIMENT: A pediment in architecture that has been split apart at its apex or at the center of its base. When broken at its apex, the gap is often filled with an urn, a cartouche, or other ornament.

A

APPENDIX A

BUNGALOW: A general term for a small, one-to one-and-a-half story rectangular house, usually sited perpendicular to the street, typically with some Craftsman detailing and a wide front porch.

C

CASEMENT WINDOW: A movable window, wood or metal framed, with hinges or pivots at the upright side of the vertically hung sash, so that it opens outward or inward along its entire length in the manner of a door.

CAPITAL: The topmost member, usually decorated, of a column or pilaster.

CASING: See Windows, Parts of

CERTIFICATE OF APPROPRIATENESS (COA): A certificate issued by the town indicating its approval of plans for alteration, construction, removal, or demolition of a landmark or of a building within the historic district.

CHAMFERED POST: A square post that has cut aways at the corners or right-angles to make a symmetrical sloping edge; often the chamfered edge does not extend fully to the top and bottom of the post

CHARACTER-DEFINING FEATURE: A prominent or distinctive aspect, quality, or characteristic of an historic property that contributes significantly to its physical character. Structures, objects, vegetation, spatial relationships, views, furnishings, decorative details, and materials may be such features.

CLADDING: A layer of material that is placed on a built structure or on any surface.

CLIPPED GABLE (ROOF): See Roof Type

COLONIAL STYLE GUTTERS (K-STYLE GUTTERS): See Gutter (Gutter Styles)

COLUMNS: See Orders

COMPATIBLE: Able to exist or occur together without conflict; in harmony with surroundings.

COMPLEX (ROOF): See Roof Type

COMPOSITE (COLUMN): See Order

CONCAVE JOINT: See Mortar

CONDITION: The physical state of a structure or its components.

CONDITION ASSESSMENT: An evaluation of the physical condition of a structure, distilled by elements and details, with a description of deteriorated areas and the cause for deterioration.

CONDITION ASSESSMENT REPORT: A formal report which presents the condition assessment data. This report may cover the entire historic structure or a single feature or system.

CONTEMPORARY YET COMPATIBLE: A principle that encourages contemporary designs that are compatible with the scale, massing, form, materials, color, and texture of an historic structure in order to differentiate modern elements from historic.

CONTEXT: The setting in which an historic element, site, building, structure, street, or district exists.

CONTRIBUTING RESOURCE: A building, site, structure, or object adding to the historic significance of a property.

CORINTHIAN (COLUMN): See Orders

CORNICE: The exterior trim at the top of a wall where it meets the roof. Part of the entablature when present.

COURSES: See Bond (Masonry)

CULTURAL LANDSCAPE: A geographic area, including both cultural and natural resources and the wildlife or domestic animals therein, associated with an historic event, activity, or person exhibiting other cultural or aesthetic values.

CULTURAL RESOURCE: An aspect of a cultural system that is valued by or significantly representative of a culture or that contains significant information about a culture. A cultural resource may be a tangible entity or a cultural practice. Tangible cultural resources are categorized as districts, sites, buildings, structures, and objects for the National Register of Historic Places and as archaeological resources, cultural landscapes,

structures, museum objects, and ethnographic resources for NPS management purposes.

CULTURAL RESOURCE MANAGEMENT (CRM): The range of activities aimed at understanding, preserving, and providing for the enjoyment of cultural resources. It includes research related to cultural resources, planning for actions affecting them, and stewardship of them in the context of overall operations. It also includes support for the appreciation and perpetuation of related cultural practices, as appropriate.

CUPOLA: A small rooftop structure, often decorative but able to provide ventilation and light to the center of the house.

CYCLICAL MAINTENANCE PLAN: A routine plan of maintenance to a building and site that helps preserve and retain its features. All materials, historic and modern, should have a cyclical maintenance plan where they are inspected, cleaned, repaired, and treated for any damage found. This will help to prolong the life of the material.

D

DECK: Any structure which serves as a raised horizontal platform or floor constructed of wood or other materials, without enclosing walls or roofs; generally attached to a house or building, but may be stand-alone as well.

DEFINING CHARACTERISTIC: See Character-Defining Feature

DENTILS: A band of small, square, tooth-like block forming part of the characteristic

A

APPENDIX A

ornamentation of a cornice or column; generally seen in Federal, Greek Revival, and Classical Revival style architecture.

DESIGN GUIDELINES: Criteria that provide direction to projects regarding design and help to ensure that rehabilitation projects and new construction respect the character of designated buildings and districts and appropriately manage change.

DIVIDED LITES: See Window, Parts of

DORIC (COLUMN): See Orders

DORMER: A small gable or shed projecting from a sloped roof containing a window to bring light and ventilation into an attic or upper floor.

DOWNSPOUT: See Gutter (Gutter Styles)

DRIP CAP: See Windows, Parts of

DRIP MOLD: An external moulded projection from a wall over an opening to throw off rainwater; any molding so formed and located as to act as a drip.

DUTCHMAN PATCH: An inset wood patch used to repair wood. Typically, a square inset is cut into the damaged area and a new piece of wood is glued into the inset.

E

EASEMENT: A voluntary legal agreement, typically in the form of a deed, which permanently protects a significant historic property. Since it is a perpetual easement, an

owner is assured that the property's historic character will be preserved.

EAVES: The lower edge of a pitched roof that extends past the supporting wall, particularly the underside.

ELLIPTICAL FANLIGHT: A window above a door or another window that is semi-elliptical, with glazing bars radiating out like a fan.

ENGLISH BOND: See Bond (Masonry)

ENTABLATURE: The elaborated beam member carried by the columns, generally divided horizontally into three sections (architrave, frieze, and cornice).

EPOXY WOOD FILLER: A filler product used to restore historic wood by filling gouges, dents, scratches, cracks, or holes made by wear and tear. It forms a strong bond permanently with wood fibers.

EXTERIOR INSULATION AND FINISH SYSTEM (EIFS): A general class of non-load bearing building cladding systems that provides exterior walls with an insulated, finished surface in an integrated composite material system.

F

FAÇADE: The main exterior wall of a building, usually at the front or entry wall.

FANLIGHT (FAN): An arched window over the main entrance, often with radial muntins suggesting a fan or sunburst.

FASCIA: A continuous flat band or molding parallel to the surface that it ornaments and is either projecting from or slightly receding into it.

FEMA: The Federal Emergency Management Agency is an agency of the United States Department of Homeland Security whose purpose is leading the Nation's efforts to prepare for, protect and mitigate against, respond to, and recover from the impacts of natural disasters and man-made incidents or terrorist events.

FENESTRATION: The arrangement and design of windows (or other openings) in a building.

FINIAL: An ornamental cap which terminates the point of a roof end, spire, pinnacle, gable end, canopy, etc.

FISH SCALE PATTERN: Overlapping rows of shaped tiles or shingles that resemble overlapping fish scales; commonly seen on roofs or as part of a decorative siding feature.

FIXED WINDOW: A standard window that is not operational. It will not have a handle, hinges, or any operable hardware.

FLEMISH BOND: See Bond (Masonry)

FLUSH JOINT: See Mortar

FORM: The shape or configuration of a building

FOURSQUARE: A general term for a two-and-one-half-story rectangular or square house, with a low-pitched hipped roof, often with a deep entry porch and centered main entrance. The plan often features four square rooms per floor and usually features elements of specific architectural styles, like Craftsman or Colonial Revival.

FRAME: See Windows, Parts of

FRIEZE: The middle horizontal member of a classical entablature, above the architrave and below the cornice. A similar decorative band in a stringcourse, or near the top of an interior wall below the cornice.

FRONT GABLE (ROOF): See Roof Type

FULL-WIDTH PORCH: See Porch Type

G

GABLE (ROOF): See Roof Type

GAMBREL (ROOF): See Roof Type

GAZEBO: A freestanding, open garden structure, sometimes hexagonal or octagonal in shape, with a roof.

GINGERBREAD: The highly decorative woodwork applied to the cornice, brackets, or other trim pieces of Victorian-era houses

GRILLES BETWEEN GLASS (GBG): See Window, Parts of

GUTTER (GUTTER STYLES): The system that drains water away from a building, protecting siding, windows, doors, and foundations from damage. There are numerous styles of gutters that are termed from their profiles.

- **DOWNSPOUT:** The vertical portion of a gutter that directs water to the ground and away from the foundation.
- **COLONIAL STYLE GUTTERS (K-STYLE GUTTERS):** A gutter with a decorative profile that has a flat top and bottom with a curved middle, vaguely resembling a "K".
- **HALF-ROUND STYLE GUTTER:** A gutter that is semi-circular in profile.

H

HALF-HIPPED/CLIPPED GABLE/JERKINHEAD (ROOF): See Roof Type

HALF-ROUND STYLE GUTTER: See Gutter (Gutter Styles)

HARDSCAPE: The "hard" features of a landscape which are normally heavier, unchanging objects such as gravel, paving, and stone; these make up elements such as walkways, patios, driveways, etc.

HEAD: See Window, Parts of

HIPPED (ROOF): See Roof Type

HISTORICAL: Of or concerning history; concerning past events.

HISTORIC AMERICAN BUILDING SURVEY (HABS) OR HISTORIC AMERICAN ENGINEERING RECORD (HAER): Architectural and engineering documentation

programs that produce a thorough archival record of buildings, engineering structures, and cultural landscapes significant in American history and the growth and development of the built environment.

HISTORIC CHARACTER: The sum of all visual aspects, features, materials, and spaces associated with a property's history.

HISTORIC DISTRICT: A geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, landscapes, structures, or objects, unified by past events or aesthetically by plan or physical developments. A district may also be composed of individual elements separated geographically but linked by association or history.

HISTORIC PRESERVATION TAX INCENTIVES: A national program created to encourage private sector investment in the rehabilitation and reuse of historic buildings. Also known as Historic Rehabilitation Tax Credits, these are dollar-for-dollar reductions in income tax liability for taxpayers who rehabilitate historic buildings.

- **Federal Rehabilitation Tax Credits:** A 20% income tax credit for the rehabilitation of historic, income-producing buildings that are determined by the Secretary of the Interior, through the National Park Service, to be "certified historic structures." The State Historic Preservation Offices and the National Park Service review the rehabilitation work to ensure that it complies with the Secretary's Standards for

Rehabilitation, while the Internal Revenue Service defines qualified rehabilitation expenses on which the credit may be taken.

- **Virginia State Rehabilitation Tax Credits:** A 25% income tax credit for the rehabilitation of historic owner-occupied and income-producing buildings that are determined by the State Historic Preservation Office to be “certified historic structures.” The State Historic Preservation Office reviews the rehabilitation work to ensure that it complies with the Secretary’s Standards for Rehabilitation, while the Virginia Department of Taxation defines qualified rehabilitation expenses on which the credit may be taken.

HISTORIC PROPERTY: Any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Native American tribe or Native Hawaiian organization and that meet the National Register criteria.

HISTORIC SIGNIFICANCE: The meaning or value ascribed to a structure, landscape, object, or site based on the National Register criteria for evaluation. It normally stems from a combination of association and integrity.

HOPPER WINDOW: Windows that tilt inward from the top; commonly used in basements.

HORIZONTALITY: The sense of length over height in construction.

INFILL: New construction in historic districts on vacant lots or to replace existing buildings.

IN-KIND: The replacement of historic fabric with new material that matches the historic detail, configuration, appearance, and fabric as closely as possible.

INTEGRITY: The authenticity of a property’s historic identity, evidenced by the survival of physical characteristics that existed during the property’s historic period.

IONIC (COLUMN): See Orders

JAMB: See Window, Parts of

JERKINHEAD (ROOF): See Roof Type

JIGSAW ORNAMENT: A decorative piece, usually woodwork, that is made with a jigsaw, band saw, or scroll saw. It is more easily mass-produced in contrast to hand-carved or turned-wood products.

JALOUSIE WINDOW: Windows that are composed of glass or acrylic panels set parallel in a frame.

K

KNEE WALL: A short wall, usually no taller than 3 feet in height, that runs along the bottom of a storefront window.

L

LANDSCAPE: The arrangement of features of an area of land for aesthetic and/or practical reasons; often divided into two major components: hardscape (the non-living elements, such as pavers) and softscape (the living elements, such as lawns flowers, trees, etc.)

LINTELS: A horizontal structural support used to span an opening in a wall or between two vertical supports; frequently found over windows and doors and are generally used for load-bearing purposes, but can also be decorative.

LOUVERED SHUTTERS: A type of shutter that has horizontal slots to prevent rain, direct sunlight, and noise.

LUNETTE: A crescent-shaped or semi-circular area on a wall or vaulted ceiling, framed by an arch or vault; it can have an opening or window in the area.

M

MAINTENANCE: Upkeep of property or equipment either on a regular basis or as a non-recurring event.

MANSARD (ROOF): See Roof Type

MASONRY: The material and craft of building and fabricating in stone, clay, brick, or concrete block; often used to describe poured concrete building as well.

MASSING (BUILDING MASS): The exterior sculptural composition of the volume of a building; comprised of shape, form, and size.

MEDIUM DENSITY FIBERBOARD (MDF): A manufactured product composed of wood fibers mixed with resin and wax, and pressed into flat panels under high temperatures and pressure.

METAL ROOF TYPES: There are two general types of metal roofs: pressed tin and metal standing seam; the first is tin metal that is pressed with a design and installed as sheets on a roof whereas the second is metal panels interlocked together at the edges to form a seam which stands vertically and perpendicular to the roof face.

MOLDING: A member of construction or decoration so treated as to introduce varieties of outline or contour in edges or surfaces, whether on projections or cavities, as on cornices, capitals, bases, door and window jambs, and heads, etc. It is generally divided into three types: rectilinear, curved, and composite-curved.

MORTAR: A material used in masonry construction to fill the gaps between the bricks and blocks; a mixture of sand, a binder such as cement or lime, and water that is applied as a paste which then sets hard.

- **MORTAR JOINT:** The spaces between brick, concrete blocks, or glass blocks, that are filled with mortar or grout.
- **BEADED JOINT:** A recessed mortar joint in the form of a quirked bead; a joint with a raised bead in the center that often projects past the surface of the brick or stone.
- **CONCAVE JOINT:** A recessed masonry joint, formed in mortar by the use of a curved steel jointing tool; very effective in resisting rain penetration.
- **EXTRUDED JOINT:** This joint design requires no tooling and is formed naturally as excess mortar is squeezed out from between the bricks.
- **FLUSH JOINT:** A masonry joint in which an excess of mortar is applied then a trowel is held flat against the masonry surface and moved along the surface, so as to cut away the excess mortar.
- **RAKED JOINT:** A masonry joint made by removing the surface of mortar while it is still soft with a square-edged tool.
- **STRUCK JOINT:** A masonry joint in which the mortar between two courses of bricks is sloped inwards so as to be flush with the surface of one but below that of the other.
- **WEATHERED JOINT:** A masonry joint in which the mortar is sloped outward from the upper edge of the lower brick, so as to shed water readily; formed by pressing the mortar inward at the upper edge of the joint.
- **WEeping JOINT:** Similar to extruded

joints, where the mason puts extra mortar on the bed joint and pressed down on the brick to get the mortar to weep out.

MULLION: See Windows, Parts of

MUNTIN: See Windows, Parts of

N

NATIONAL HISTORIC PRESERVATION ACT (NHPA): Declares a national policy of historic preservation, including the encouragement of preservation on the state and private levels; authorizes the Secretary of the Interior to expand and maintain a National Register of Historic Places including properties of state and local as well as national significance; establishes the Advisory Council on Historic Preservation; requires federal agencies to consider the effects of their undertakings on National Register properties and provide the Advisory Council opportunities to comment (§106).

NATIONAL PARK SERVICE (NPS): A bureau of the U.S. Department of the Interior which is responsible for the preservation of natural and cultural resources.

NATIONAL REGISTER OF HISTORIC PLACES (NRHP): The United States' official list of buildings, structures, sites, objects, and districts that embody the historical and cultural foundations of the nation, established in 1966 and managed by the National Park Service.

A

APPENDIX A

NONCONTRIBUTING RESOURCE: A building, site, structure, or object that does not add to the historic significance of a property, or is not historic.

NFIP: The National Flood Insurance Program provides flood insurance to property owners, renters, and businesses, and having this coverage helps them recover faster when floodwaters recede. It works with communities required to adopt and enforce floodplain management regulations that help mitigate flooding effects.

O

OFFSET: A horizontal ledge on the face of a wall, formed by a diminution of its thickness, or by the weathering or upper surface of a part built out from it; a set-off.

ORDERS: Classical design principles that determine the proportions, size, and shape of columns and entablature. Order include: Greek Orders (Doric, Ionic, Corinthian) and Roman Orders (Tuscan & Composite)

ORIEL WINDOW (CANTILEVERED BAY WINDOW): See Bay Window

ORNAMENTAL: Applied embellishment in various architectural styles that is a distinguishing characteristic of the building.

ORNATE: Elaborately ornamented.

P

PANE: See Windows, Parts of

PANELED: A portion of a flat surface either raised above or recessed below the surrounding area, distinctly set off by molding or some other decorative device.

PARAPET: A low guarding wall at any point of sudden drop, as at the edge of a terrace, roof, battlement, balcony, etc.; in an exterior wall, the part entirely above the roof.

PARTIAL-WIDTH PORCH: See Porch Type

PAVILION: A detached or semi-detached building used for entertainment or for specialized activities; on a facade, a prominent portion usually central or terminal, identified by projection, height, and special roof forms.

PEDIMENT: A triangular, gently sloped gable over the entablature on a Classical building. It may be used as a style element, where it is placed over doors and windows, or above porches and pavilions.

PENDANT: A suspended feature or hanging ornament.

PENT (ROOF): See Roof Type

PERGOLA: A garden structure with an open wooden-framed roof, often latticed, supported by regularly spaced posts or columns; the structure, often covered by climbing plants such as vines or roses, shades a walk or passageway; a colonnade which has such a structure.

PERIOD OF SIGNIFICANCE: The span of time in which a property attained the significance for which it meets the National

Register criteria.

PIER: A column designed to support concentrated loads; a member, usually in the form of a thickened section, which forms an integral part of a wall; usually placed at intervals along the wall to provide lateral support or to take concentrated vertical loads.

PORCH TYPE:

- **FULL-WIDTH:** A porch that extends the full width of a building or house, but not the full-height of the building.
- **PARTIAL-WIDTH:** A porch that extends part of the width of a building, and not the full-height of the building.
- **WRAP-AROUND:** A porch that “wraps around” more than one side of a building or house; most commonly on two or three sides.

PORTICO: A porch or covered walk consisting of a roof supported by columns.

PRESERVATION: The act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.

PRESERVATION MAINTENANCE: Action to mitigate wear and deterioration of an historic property without altering its historic character. Action includes protecting its condition, repairing when its condition warrants with the least degree of intervention including limited replacement in-kind, replacing an entire feature in-kind when the level of deterioration or damage to materials precludes repair, and stabilization to protect damaged materials or features from additional damage. For archaeological sites it includes work to moderate, prevent, or arrest erosion.

PRESSED METAL (ROOF): See Metal Roof Type

PROJECTION: Any component, member, or part which juts out from a building.

PURLIN: A horizontal beam along the length of a roof, resting on a main rafter and supporting the common rafters or boards.

PYRAMIDAL (ROOF): See Roof Type

Q

QUOIN (CORNER): A hard stone or brick used, with similar ones, to reinforce an external corner or edge of a wall or the like; often distinguished decoratively from adjacent masonry; may be imitated in non-load-bearing materials.

R

RAIL: See Windows, Parts of

RAILING: A structure made of a rail, often connecting a series of upright members, that is used as a guard or barrier or for support, as on a balcony or next to a staircase.

RAKED JOINT: See Mortar

RAFTER TAILS (RAFTER ENDS): The visible extensions of the building's rafters, the interior members that support the roof.

READING (A BUILDING): The assessment of a building by recognizing specific characteristics, ornamentation, and building construction that will identify the key attributes of its architectural style. Used in historic preservation to specify key characteristics that should be maintained during a project.

RECONSTRUCTION: The act or process of depicting, by means of new work, the form, features, and detailing of a non-surviving historic structure or any part thereof, for the purpose of replicating its appearance at a specific time in its historic location.

REHABILITATION: The act or process of making possible an efficient compatible use for an historic structure or landscape through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural and architectural values.

RESTORATION: The act or process of accurately depicting the form, features, and character of an historic structure as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period.

RIDGE BEAM (OR RIDGE POLE): The longitudinal beam at a roof's ridge that receives the rafters.

ROOF PITCH: This refers to height over run, or the steepness of a roof quantified as a ratio. Also known as slope, it is generally in terms of how many inches the roof rises for every 12 inches in depth; more simply identified as flat, low-pitched (typically below 4/12), normal-pitched (typically between 4/12 and 9/12), or steep-pitched (typically above 9/12).

ROOF TYPE:

- **GABLE ROOF:** A roof of two equal slopes joined to create a gable at each end
 - **CROSS-GABLE ROOF:** A gable intersecting the main roof at right angles, typically over the front entry.
 - **FRONT GABLED ROOF:** Having the house entry and a gable end facing the street, with eaves on the sides
 - **SIDE GABLED (OR END GABLED) ROOF:** Having the house entry and an eave side facing the street, with gables on the sides.
 - **DUTCH GABLE ROOF:** Hybrid of hipped and gable with the gable (wall) at the top and hipped lower down

- **GAMBREL ROOF:** A usually symmetrical two-sided roof with two slopes on each side. Generally, the upper slope is positioned at a shallow angle, while the lower slope is steep.
- **HALF-HIPPED/CLIPPED GABLE/JERKINHEAD ROOF:** The end of a roof that is hipped (sloped) for only part of its height, leaving a truncated gable.
- **HIPPED ROOF:** A gabled roof “beveled,” or hipped, at both ends so that it slopes toward the peak from all sides.
- **MANSARD ROOF:** Having two slopes on every side of a building, the lower slope being considerably steeper than the upper.
- **PYRAMIDAL ROOF:** A hipped roof of four roughly equal sides meeting at the top in a pyramid.
- **COMPLEX ROOF:** A blend of more than one roof type.
- **PENT ROOF:** A secondary, shed-roofed structure added against the main house; a small roof or hood over an entry or window.
- **SHED ROOF:** A roof having only one sloping plane and no hips, ridges, or valleys.

ROOF-WALL JUNCTION: Describing how the roof meets the wall, generally where the wall meets the vertical portion of a gable; it is either enclosed, where the gable wall is separated by the wall by a section of roof, or continuous where the wall runs into the gable wall without separation.

S

SASH: See Windows, Parts of

SASH CORD: See Windows, Parts of

SASH PULLEY: See Windows, Parts of

SASH WEIGHT: See Windows, Parts of

SCALE: The proportion used in determining the relationship of a representation to that which it represents. To draw or reproduce in accordance with a particular proportion or scale.

SECRETARY OF INTERIOR’S STANDARDS FOR REHABILITATION: The set of standards that are regulatory for historic rehabilitation tax credit projects and are applied to all certified historic structures (interior and exterior) as well as the site and related new construction. (SOIS-Rehab)

SETBACK: A step-like recession in the profile of a building or the distance by which a building or part of a building is set back from the property line.

SETTING: The physical environment of an historic property; the character of the place in which the property played its historical role.

SHAKE: Any thick hand-split shingle or clapboard, usually edge-grained; formed by splitting a short log into tapered radial sections.

SHED (ROOF): See Roof Type

SHOP DRAWINGS: Drawings submitted by the construction contractor or a subcontractor at any tier or required under a construction contract, showing in detail: the proposed fabrication and assembly of structural elements; the installation (i.e., form, fit, and attachment details) of materials or equipment; or both.

SHUTTERS: See Windows, Parts of

SIDE GABLE (ROOF): See Roof Type

SIDELIGHT: A set of windows that flank a door.

SIDING: The finish covering of an exterior wall of a frame building.

SILL: See Windows, Parts of

SIMULATED DIVIDED LITES (SDL): See Windows, Parts of

SITE: An area of land on which a building or a group of buildings is located within.

SKYLIGHT: Roof opening covered with translucent or transparent glass or plastic designed to admit daylight.

SLATE TILE: Tile, either used in roofing material or paving/interior flooring material, which is a natural stone of metamorphic rock.

SLIDING WINDOW: Horizontal windows, with sashes that slide back and forth rather than up and down like more traditional windows.

SPACE BAR: See Windows, Parts of

SPINDLEWORK: Decorative trim around a porch.

STAINED GLASS: The colored glass used for making decorative windows and other objects through which light passes.

STANDING SEAM (ROOF): See Metal Roof Type

STATE HISTORIC PRESERVATION OFFICE (SHPO): State Historic Preservation Offices (SHPOs) administer the national historic preservation program at the state level, review National Register of Historic Places nominations, maintain data on historic properties that have been identified but not yet nominated, and consult with federal agencies during Section 106 review (federal agencies seek the views of the appropriate SHPO when identifying historic properties and assessing effects of an undertaking on historic properties). In most cases, the governor of their respective state or territory designates SHPOs.

STEWARDSHIP: The cultural and natural resource protection ethic of employing the most effective concepts, techniques, equipment, and technology to prevent, avoid, or mitigate impacts that would compromise the integrity of resources.

STRETCHER BOND: See Bond (Masonry)

STICK-WORK: Bands of wood trim applied horizontally, vertically, or diagonally to the exterior wall surfaces of a building.

STILE: See Windows, Parts of

STREETSCAPE: The appearance of view of a street.

STOOL: See Windows, Parts of

STRUCK JOINT: See Mortar

STUCCO: An exterior finish, usually textured; composed of Portland cement, lime, and sand, which are mixed with water; a fine plaster used for decorative work or moldings.

STREETSCAPE: The appearance or view of a street and its surrounding landscape, buildings, and structures.

SUSTAINABILITY/SUSTAINABLE DESIGN PRACTICES: Sustainable Design Practices allow for use and enjoyment by the current generation, while ensuring that future generations will have the same opportunities. Sustainable Design Practices include those choices, decisions, actions and ethics that will best achieve ecological/biological integrity; protect qualities and functions of air, water, soil and other aspects of the natural environment; and preserve human cultures.

SYMMETRY (SYMMETRICAL): The reflection of shared forms, shaped, or angles across a central line or point called the axis.

T

TAPER/TAPERED: A gradual diminution of thickness in an elongated object.

TOWER: A building or part of a building characterized by its relatively tall height.

TRACERY (WINDOW): the curvilinear openwork shapes of stone or wood creating a pattern within a window, or an opening of similar character, in the form of mullions which are usually so treated as to be ornamental.

TRANSOM (WINDOW): A window above a door or opening.

TRIM: The molding or millwork used to frame windows, doors, walls, floors, or ceilings of a building.

TRIPARTITE WINDOW: A grouping of three window units; usually the middle window is larger than the side windows; commonly found in a Palladian window, which consists of a round arch window flanked by narrow, rectangular windows on the sides.

TURNED POST: A post having a circular or curved outline, such as a column, balusters, etc.; usually cut on a lathe, although some shapes are cut by hand

TUSCAN (COLUMN): See Orders

U

UNADORNED: Lacking ornamentation.

USE: How the structure will be utilized following realization of its ultimate treatment. The function(s) the structure will serve and the activities which will take place within the structure.

V

VERNACULAR ARCHITECTURE: The common building style of a period or place based on regional forms and materials.

VERTICALITY: the sense of height over length in construction.

VICTORIAN: Refers to styles that emerged in the period between 1830 and 1910, during the reign of Queen Victoria in Great Britain. The era spawned several well-known styles including Gothic Revival, Italianate, Second Empire, Queen Anne, Stick, Romanesque, and Shingle Styles.

VIRGINIA DEPARTMENT OF HISTORIC RESOURCES (VDHR OR DHR): A state agency under the Department of Natural Resources, which acts as the State Historic Preservation Office in Virginia.

VIRGINIA LANDMARKS REGISTER (VLR): Virginia's official list of properties important to state history, established in 1966 and managed by the Department of Historic Resources.

W

WEATHERBOARD SIDING: A thin board, with a groove (rabbet) along the front of its top edge and along the back of its lower edge that is fixed horizontally with another to form an exterior cladding on a wall or roof.

WEATHERED JOINT: See Mortar

WEATHER STRIPPING: The process of sealing openings such as doors and windows from the elements. The term can also refer to the materials used to carry out such a sealing process.

WEEP HOLES: A passage for water to escape a building envelope.

WORKMANSHIP: The physical evidence of the crafts of a particular culture or people; the techniques and skills necessary to execute or construct a particular detail or feature.

WINDOWS, PARTS OF:

- **SASH:** The frame of a window holding the glass, which may be fixed or movable, swinging (casement) or vertical sliding (single-, double-, or triple-hung).
- **STILE:** The vertical sash members.
- **RAIL (MEETING RAIL):** The horizontal sash members.
- **DIVIDED LITES:** The division of light by the use of muntin bars.
 - **MULLION:** a vertical bar between the panes of glass in a window.
 - **MUNTIN:** a vertical bar between the panes of glass in a window.
 - **AUTHENTIC OR TRUE DIVIDED LITES (ADL OR TDL):** Single or insulating glass, individually glazed between the muntin bars.
 - **SIMULATED DIVIDED LITES (SDL):** Muntins permanently adhered to the interior and exterior of the glass.
- **FRAME:** The framework that surrounds and supports the entire window system, consisting of head, jamb, and sill.

- **HEAD:** The main horizontal portion at the top of a window frame.
- **JAMB:** The main vertical portion at the sides of a window frame.
- **SILL:** The main horizontal portion at the bottom of a window frame; a ledge forming the bottom part of a window.
- **APRON:** A piece of casing or decorative trim installed against the wall immediately beneath the stool of a window
- **STOOL:** A horizontal trim member that laps the window sill above the apron and extends beyond the interior casing.
- **CASING:** the moldings that go around the window frames.
- **DRIP CAP:** A piece of molding installed at the top of the window to allow water to run off the casing of the unit.
- **PANE:** a single sheet of glass in a window.
- **SHUTTERS:** Pairs of solid or slatted exterior window coverings, traditionally hinged to a window and used to block light or wind from the interior of a building. Historically operable, more commonly found as decorative fixtures on modern buildings.

WRAP-AROUND PORCH: See Porch Type

APPENDIX B - CAPE CHARLES HISTORIC DISTRICT OVERLAY DEVELOPMENT HISTORY

The Town of Cape Charles is fortunate to have what is considered to be one of the best collections of historic buildings of any community on the Eastern Shore.ⁱ The town was originally laid out by William Bauman in an unusual twenty-seven block grid pattern dominated by a central park with four landscaped streets that radiate from the park and serve as a main cross axis for the town's circulation pattern. This plan was part of a larger development project concerning the New York, Philadelphia & Norfolk Railroad. Construction of the railroad tracks began in 1884. Although many towns of that era owe their existence to railroads, Cape Charles is unique in Virginia for its town plan. No other such plan is known to exist in Virginia.ⁱⁱ

Cape Charles also owes its existence to its harbor, which, after dredging, enabled the railroad company to transport its loaded cars by barge across Chesapeake Bay and disembark them directly onto a rail line in Norfolk.ⁱⁱⁱ The town's architectural evolution after 1940 and the effects on the town due to the construction of the Chesapeake Bay Bridge-Tunnel marked a new era of modern development for Virginia's Eastern Shore.^{iv}

The town's building fabric, ranging from small vernacular workers' houses of the

1880s to architect-designed commercial, municipal, and residential buildings of the early twentieth century, is remarkably well-preserved. Architectural styles represented include the Queen Anne, Victorian, Italianate, Gothic Revival, Neoclassical, Colonial Revival, Spanish Colonial Revival, Art Deco,^v and Ranch styles.^{vi} The town is particularly notable for its collection of late Victorian and early twentieth-century vernacular dwellings.^{vii}

Acknowledging this diverse collection of historic resources, the Town's 1999 Comprehensive Plan noted that Cape Charles has an interesting stock of architectural styles in both the residential and downtown commercial areas that contribute an historic style and authenticity to the Town. In particular, the street patterns, lot configurations, and boundaries, which were laid out in an historic grid pattern, have remained largely unaltered, adding to the Town's historical integrity. Cape Charles' late nineteenth and early twentieth century character is a key element in the Town's interest and attractiveness to tourists. In fact, the traditional commercial area on Mason Avenue still serves as the commercial center for the Town. Given this, the plan states that it's important that the Town's historic character be protected, not only for its

intrinsic value, but also to continue to attract and expand tourism in Cape Charles. ^{viii}

CAPE CHARLES HISTORIC DISTRICT

An early architectural survey conducted in the late 1980s identified historic properties in the Town and led to the designation and listing of the “Cape Charles Historic District” in the Virginia Landmarks Register (VLR) and the National Register of Historic Places (NRHP) in 1989. ^{xi} It encompasses nearly all of the Town of Cape Charles as it was originally laid out in 1883-1884, as well as the Sea Cottage addition, an area west of the original limits of the town, that was developed after 1909. ^x The Cape Charles Historic District, *which does not have the same boundaries as, and is not the same as, the local Historic District Overlay zone*, was designated under Criterion A in the area of Transportation and under Criterion C in the areas of Community Planning and Architecture. The district’s “period of significance” was identified as being from the 1880s to 1940.

Additional documentation was added to the National Register for the Cape Charles Historic District in 2017, following an architectural survey update. The purpose of this additional documentation was to provide more current information about

the Historic District’s physical condition and history based on a comprehensive survey of the district and new research into the district’s historical significance. The District’s period of significance was expanded to be 1883-1964. A large number of structures were added to the “contributing” resources list, consisting primarily of permanent outbuildings. In addition, a large number of buildings transitioned from prior designation as “non-contributing” in the 1989 nomination to “contributing” with the update. These were mostly single-family dwellings of the “Cape Cod” and “Ranch” styles, built in the 1950s and 1960. In addition, a new Location Map showing the district boundaries and location coordinates was provided. The new map has the boundaries delineated more clearly than the 1991 version; however, the Cape Charles Historic District boundaries did not change as a result of this update. ^{xi}

VIRGINIA LANDMARKS REGISTER & NATIONAL REGISTER OF HISTORIC PLACES

The Virginia Department of Historic Resources (DHR) administers two programs designed to recognize Virginia’s historic resources and to encourage their continued preservation: the Virginia Landmarks Register and the National Register of Historic Places.

Virginia Landmarks Register

The Virginia Landmarks Register (VLR) was created in 1965 by the General Assembly in the Code of Virginia. It is the Commonwealth's official list of places of historic, architectural, archaeological and/or cultural significance. The VLR is managed by DHR staff on behalf of the Virginia Board of Historic Resources. It is designed to educate the public about the significance of listed places and has the same criteria and nomination process as the National Register of Historic Places.

National Register of Historic Places

The National Register of Historic Places (NRHP) was established in 1966 by the National Historic Preservation Act. It is the official list of structures, sites, objects, and districts that embody the historical and cultural foundations of the United States, and includes places of local, state, and national significance. The NRHP is managed by the Department of Historic Resources in partnership with the National Park Service for properties in Virginia.

Permission of a majority of private property owners is required for an individually nominated property or a historic district to be listed in the VLR or the National Register. Both types of listing are treated the same

under state and federal laws and regulations. The designation of Cape Charles as a Historic District in the VLR and NRHP is purely honorific. This means that this does not restrict you as a property owner in any way because it is not a local zoning district that applies local regulation. However, repairs or changes to properties that are also included in the local Historic Overlay District are regulated by the Town's Zoning Ordinance and require a COA application and approval. Only the exterior and the site are regulated; no interior changes require a COA.

Owning property in a Historic District listed in the VLR or NRHP also comes with several advantages. For example, if you own an income-producing property in the district and are considering a substantial rehabilitation project, you might qualify for federal rehabilitation tax credits, which can help you finance the project and/or offset a tax liability. In addition, any adverse impact of federally-funded or licensed projects on the Historic District must be determined and minimized, if possible. This is done to ensure the federal government's compliance with the National Historic Preservation Act. Threatened properties in the Historic District may also qualify for state grant programs to help preserve and rehabilitate them.

Buildings or structures included in VLR or NRHP Historic Districts are designated as either “contributing” or “non-contributing.” Not all of the buildings or structures in the Historic District are historic or contribute to the integrity of the district. These are referred to as “non-contributing” and were built less than fifty years ago, or have been altered to such a degree that they are no longer representative of the period in which they were built. The local Cape Charles Historic District Overlay zone uses the same “contributing” and “non-contributing” structure designations found in the VLR/NRHP district inventory.

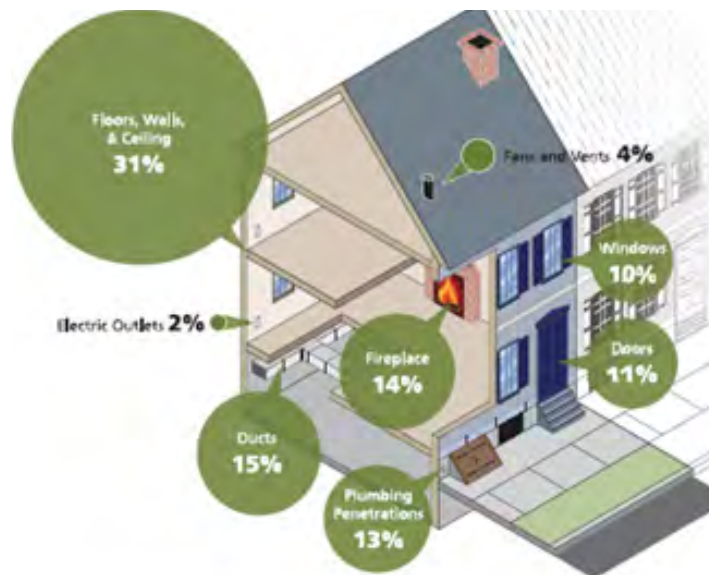
APPENDIX C - EDUCATIONAL INFORMATION FOR ALTERNATIVE MATERIALS

EDUCATIONAL INFORMATION REGARDING ENERGY EFFICIENCY, REPLACEMENT WINDOWS, SYNTHETIC SIDING, & THE EXPECTED LONGEVITY OF HISTORIC MATERIALS

Energy Efficiency: What can I do to make my historic house more energy efficient?

Some historic building features already provide inherent energy efficiency, such as operable windows that provide ventilation and natural lighting, thick masonry walls that have inherent thermal characteristics, or floor plans that allow for air circulation. It is important when looking to improve your historic building's energy efficiency to first understand and identify existing energy-efficient features, and how they function. The **U.S. Energy Information Administration** found that pre-1950 residential buildings are approximately 30-40 percent less energy efficient than buildings built after 2000. Therefore, it is a realistic goal that a historic building can obtain similar energy efficiency relative to newer construction. New treatments should operate cohesively with older ones to further improve efficiency. Below are initial suggestions to consider when thinking about improving your historic building's energy efficiency:

- Perform an energy audit on your building to understand where you may be losing thermal performance.
- Consider small operational changes that are low to no cost such as:
 - Install programmable thermostats.
 - Close off rooms that are not in regular use.
 - Use insulated shades and curtains to control heat gain and loss as well as taking advantage of natural light.
 - When weather permits, use operable windows, shutters, awnings, and vents as originally intended to control temperature and ventilation.



Graphic from the National Park Service's Preservation Brief 3 - Improving Energy Efficiency in Historic Buildings showing where air escapes from a house (by percentage). Image based on data from Energy Savers, U.S. Department of Energy. Illustration: Blank Space, LLC.

- Consider other lower cost/lower impact alterations like:
 - Add attic insulation.
 - Install storm windows.
 - Insulate basement and crawlspaces.
 - The Department of Energy found that 31% of air loss (the highest percentage of any feature) in homes is at floors, walls, and ceilings
 - Seal and insulate ducts and pipes.
 - Weatherstrip doors and add storm doors.
- Upgrade older appliances and mechanical equipment to energy efficient ones and clean and service them regularly.

Replacement Windows: My windows are old and not energy efficient: Why shouldn't I buy all new?

Property owners might believe in the idea that new windows will be more energy efficient than the original historic ones already in place. This is marketing misinformation and replacing historic windows should be considered only if the originals are deteriorated past the point of restoration. In reality, the **Department of Energy** has found, in general, only 10% of air loss is attributed to windows and that full scale replacement will never recoup the initial

cost versus energy savings within the lifecycle of a replacement window.

While your historic windows were built to be repaired, lasting 50-100 years or more, replacement windows often cannot be repaired and need to be completely replaced within 10-25 years. To continually replace replacement windows is not sustainable. Also, recouping your money on energy savings from the initial cost of replacing windows can take more than 100 years to achieve. Finally, properly maintained historic windows can continue to be energy efficient and functional for years to come; see [page 4-2](#) for a maintenance schedule guide. If thrown away instead, the waste created is an environmental and monetary loss.

Another alternative to wholesale replacement is the addition of storm windows. The chart provided on the following page shows the estimated payback on various options of window replacement versus the addition of a storm window to a historic window site. It costs less up front, and the annual savings per window is comparable to more expensive options.

WINDOW ENERGY SAVINGS AND PAYBACKS

	Adding a storm window over a maintained single-pane historic window	Replacing a single-pane historic window with a double-pane thermal window	Replacing a single-pane historic window that has no storm window with a Low-e glass double-pane thermal replacement	Replacing a single-pane historic window that has a storm window with a Low-e glass double-pane thermal replacement
Average initial cost per window	\$50 (if just adding a storm window)	\$450	\$550	\$550
Average Annual Energy Savings	722,218 BTU	625,922 BTU	902,772 BTU	132,407 BTU
Average Annual Savings per Window	\$13.20	\$11.97	\$16.10	\$2.29
Simple Payback	4.5 years	40.5 years	34 years	240 years
	\$50/\$13.20	\$450/\$11.07	\$550/\$16.10	\$550/\$2.29
Life of window	100+years	10-20 years	10-20 years	10-20 years
Environmental Impact	Little to none beyond the added embodied energy to make the storm window.	The original historic window ends up in a landfill. The embodied energy to make the new window is added to the embodied energy of the existing window that is now trash.		
Notes: A 3 foot -by- 5 foot window is the size used to make the calculations Assumes cooling/heating ~ \$1.09/therm BTU = British Thermal Unit; the amount of heat required to raise the temperature of one pound of water by one degree Fahrenheit.	- Suggests that the window has been properly maintained and needs minimal repairs. - Does not include additional savings if weatherstripping would be applied	- Cannot make repairs on these windows. If glass breaks, you have to replace the whole window. - Not feasible to recoup money (won't last long enough to pay themselves off)		

Source: 2007, "Economics of Preservation", online PDF handout from Greeley, Colorado's town website: <http://greeleygov.com/docs/default-source/community-development/historic-preservation/news-and-events/bob-yapp/economics-of-preservation-hand-out.pdf>

Synthetic Siding (Vinyl, Cement Fiberboard): So what's the problem with vinyl, aluminum, and cementitious siding

Probably the most contested of alternative materials is the use of modern siding alternative like vinyl, aluminum, or cementitious siding on buildings that previously had (or still have) historic siding.

Historic materials, when properly maintained, are often more durable than their modern contemporaries. For example, 1918 wood harvested from old-growth forests is dense and durable. It will burn more slowly and is more insect resistant. It is hard to obtain and if found, is expensive. The alternative new-growth wood is visibly much less dense and less resistant to moisture and insects. It will

require frequent replacement requiring more frequent maintenance and replacement than historic wood. It is important to look at the life cycle of materials before replacing them in order to and accurately evaluate whether it is more cost effective to replace rather than repair and maintain. This assessment should include consideration of the inferior durability and shorter life cycle of modern materials.

Despite marketing claims, there are many deficiencies with modern siding like vinyl that make its upkeep and cost comparable to repairing your historic wood siding. For example, because of wood's durability, its lifespan can be well of 250 years if maintained and painted properly. Vinyl siding has an average lifespan of 15-20 years before becoming brittle and easily damaged. It is not "maintenance free". Vinyl siding can also begin to fade within the first three months, leading to issues with color matching if sections are replaced. It will also dent, crack, and even melt under certain circumstances. Finally, its surface texture collects dirt and mold more easily than smooth historic wood siding.

Similarly, other modern materials can also require high maintenance and experience damage. Aluminum siding fades in the sun, requiring repainting as often as wood siding. Mold and mildew can collect on the surface and stain the paint/coating or rust the metal.

It, therefore, requires routine maintenance to keep it clean.

While cement fiberboard is longlasting, it also requires routine maintenance and inspection as it is a product that absorbs moisture easily, leading to mold and mildew concerns. It is also difficult to install, requiring the removal of the historic siding for installation. For the upfront work, it provides little in energy efficiency or environmental friendliness.

Additionally, covering up historic siding can destroy otherwise salvageable historic materials. The backer board and vinyl siding that covers the historic material creates a barrier where moisture collects and causes irreparable damage to the structure.

While alternative materials may address these concerns in the future, for now these materials are inappropriate options for siding replacement due to their inferior performance, visual character, and longevity.

Source(s):

Preservation Brief No. 3: Improving Energy Efficiency in Historic Buildings

Preservation Brief No. 16: The Use of Substitute Materials on Historic Building Exteriors

Vinyl is Not Final by Katrina L. Klingman – published in Kansas Preservation newsletter (July-August 2003, Vol. 25, No. 4, Pgs. 9-12)

APPENDIX D - RESOURCE GUIDE

The following pages include links and website addresses for further reference and help. If you cannot find your answer in this guidelines document, you will most likely be able to find it at one of these sites. You can also seek the Planning & Zoning Department's help in guidance and successful completion of a COA or other planning issues within the Cape Charles Historic District Overlay.

VIRGINIA DEPARTMENT OF HISTORIC RESOURCES (DHR)

Certified Local Government

Cape Charles is a Certified Local Government (CLG), which provides a means for communities to strengthen their local preservation programs by establishing a partnership with the State Historic Preservation Office (SHPO). Benefits include access to grant funding for preservation programs.

Rehabilitation Tax Credits

Find out more about the financial incentives available for historic resources. DHR administers both the state and federal rehabilitation tax credit programs.

Classic Commonwealth: Virginia Architecture from the Colonial Era to 1940

This publication was created to aid in identifying architectural resources in Virginia, providing a brief overview of the historic and architectural development.

New Dominion Virginia, Architectural Style Guide

Created to aid in historic resource surveys and the Virginia Cultural Resources Information System (VCRIS) database, the New Dominion Style Guide provides an updated list of styles that emerged after World War II (1946 to present day). This resource is particularly useful in identifying recent past resources.

A Handbook and Resource Guide for Owners of Virginia's Historic Houses

This resource provides homeowners with best preservation practices when project planning an historic home renovation.

How to Research your Historic Virginia Property

This document outlines the different types of sources available when researching the history of a property, including city directories, deeds, plats, and Sanborn maps.

NATIONAL PARK SERVICE (NPS)

Technical Preservation Services (TPS)

This division of NPS is responsible for historic preservation at the federal level by developing guidance on the preservation and rehabilitation of historic buildings and administering the Federal Historic Preservation Tax Incentives Program.

The Secretary of the Interior's Standards

The Secretary of the Interior has four sets of standards for the treatment of historic properties: Preservation, Rehabilitation,

Restoration, and Reconstruction. Find out more about each approach.

Tax Incentives

The Federal Historic Preservation Tax Incentives program is administered by NPS in partnership with the Internal Revenue Service and State Historic Preservation Offices (in Virginia, DHR). This program provides a 20% income tax credit for the rehabilitation of eligible income-producing properties.

How to Preserve

TPS provides technical assistance and guidance through Preservation Briefs and [Preservation Tech Notes](#). These documents are often referenced to inform best preservation practices and appropriate treatment of historic materials.

Sustainability

This site provides information on the intersection between historic preservation and sustainability, including treatments to increase energy efficiency in historic building and information on new sustainable technology that is appropriate for use in historic preservation projects.

EDUCATIONAL RESOURCES AND STUDIES

GENERAL

Resources for Preservation Commissions

From the National Alliance of Preservation Commissions, this site provides a number of resources to help support the work of local design review boards including preservation plans, technical assistance, and a professional network directory

Virginia Preservation Toolkit

This site, created in partnership between the Tusculum Institute at Sweet Briar College and the Virginia Department of Historic Resources, works to provide well-researched data regarding energy efficiency, community advocacy, and economic benefits of historic preservation.

Preserving the Past, Building the Future: HRTC at Work in Virginia

This study, completed by VCU's L. Douglas Wilder School of Government and Public Affairs, provides an analysis of the Historic Rehabilitation Tax Credit program.

Virginia Historic Rehabilitation Tax Credits

This report breaks down the impact of the 94 approved HRTC projects in 2014 to put a dollar amount to the actual investment and extrapolates the data to speak to the resultant job creation and economic output.

ECONOMICS

VCU Economic Impact Studies:

- [Phase I: Economic Impact of Historic Rehabilitation Tax Credit Programs in Virginia](#)
- [Phase II: 30 Years of Impact: How the Main Street Program Has Revitalized Virginia Communities](#)
- [Phase III: The Economic Impact of Heritage Tourism in Virginia](#)

Preservation Virginia paired with the Center for Urban and Regional Analysis (CURA)

at Virginia Commonwealth University to conduct three studies to gauge the impact of preservation on Virginia's economy. The resulting reports put dollar amounts to the impact these preservation-based programs have had on the state of Virginia.

Older, Smaller, Better: New Findings from Preservation Green Lab by the National Trust for Historic Preservation's Preservation Green Lab.

This May 2014 report asserts that neighborhoods with smaller, older buildings support more positive economic and social activity than areas featuring larger, newer buildings. The report provides tips for other communities to realize the benefits of their historic resources by implementing recommendations informed by the case studies.

SUSTAINABILITY

Sustainability for Rehabilitating Historic Buildings by Technical Preservation Services, National Park Service.

This document offers guidance on how to sensitively make historic buildings more sustainable in a way, while preserving their historic character and meeting The Secretary of the Interior's Standards for Rehabilitation. The guidance also features illustrated examples of both appropriate and inappropriate treatments.

Saving Energy in Historic Buildings: Balancing Efficiency and Value by John H. Cluver and Brad Randall – published in APT Bulletin:

Journal of Preservation Technology (41:1, 2010).

This article identifies the benefits of energy modeling and life-cycle costing as a means to increase energy efficiency in historic buildings in an appropriate way.

The Greenest Building: Quantifying the Environmental Value of Building Reuse by the National Trust for Historic Preservation's Preservation Green Lab.

This study provides a comprehensive analysis of the potential environmental impact reductions associated with building reuse by utilizing a Life Cycle Analysis (LCA) methodology to compare the environmental impacts of building reuse and renovation versus new construction.

8 Ways to Green Your Historic House by the National Trust for Historic Preservation, Preservation Tips and Tools.

A list of eight ways to increase the energy efficiency of your historic home without replacing the historic windows!

6 Low-Cost, Energy Saving Tips for Homeowners

by the National Trust for Historic Preservation, Preservation Tips and Tools. Tips for saving energy in your historic home by taking advantage of the existing features of historic buildings.

DESIGN REFERENCES

A Field Guide to American Houses by Virginia Savage McAlester

A comprehensive guide to domestic American architecture, including illustrations and descriptions of house styles.

Traditional Construction Patterns: Design & Detail Rules of Thumb by Stephen Mouzon
A well-illustrated reference guide to traditional construction details.

Get Your House Right: Architectural Elements to Use & Avoid by Marianne Cusato and Ben Penetreat
A guide to the details of traditional architecture, including aesthetics of form and appropriateness to a neighborhood.

HIRING EXPERIENCED CRAFTSMEN AND CONTRACTORS

Historic Trades Directory
This directory is provided by DHR as a service to those in Virginia seeking professionals with historic preservation experience. The directory is not all-inclusive, nor does inclusion serve as an endorsement for those listed.

Our Craftsman
Preservation Virginia has an in-house craftsman that can be hired for specialized historic projects.

Traditional Building Magazine Buying Guide
An organized list of companies, services, and products geared towards restoration and renovation.

Rehab It Right! Property Owner's Guide

- **Advice For Homeowners**
- **Historic Windows and Doors**

A property owner's guide to planning a project, hiring a contractor or architect, and restoring historic windows and doors, produced by Utah Heritage Foundation

REFERENCES BY RESOURCE TYPE, FEATURES, AND MATERIALS

GENERAL

Preservation Brief No. 3: Improving Energy Efficiency in Historic Buildings

Preservation Brief No. 6: Dangers of Abrasive Cleaning to Historic Buildings

Preservation Brief No. 16: The Use of Substitute Materials on Historic Building Exteriors

Preservation Brief No. 17: Architectural Character: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving their Character

Preservation Brief No. 35: Understanding Old Buildings: The Process of Architectural Investigation

Preservation Brief No. 37: Appropriate Methods of Reducing Lead Paint Hazards in Historic Housing

Preservation Brief No. 39: Holding the Line: Controlling Unwanted Moisture in Historic Buildings

Preservation Brief No. 47: Maintaining the Exterior of Small and Medium Size Historic Buildings

Planning Successful Rehabilitation Projects:
Codes and Regulatory Requirements for
Rehabilitating Historic Buildings

Planning Successful Rehabilitation Projects:
Energy Efficiency, Sustainability, and Green
Building Practices in Historic Buildings

Planning Successful Rehabilitation Projects:
Evaluating Substitute Materials in Historic
Buildings

Interpreting the Standards Bulletin No. 21: Adding New Openings on Secondary Elevations

Interpreting the Standards Bulletin No. 22: Adding New Entrances to Historic Buildings

Interpreting the Standards Bulletin No. 26: Entrance Treatments

Interpreting the Standards Bulletin No. 33: Alterations to Rear Elevations

Interpreting the Standards Bulletin No. 38: Alterations without Historical Basis

Interpreting the Standards Bulletin No. 39: Changes to Historic Site

Interpreting the Standards Bulletin No. 41: Incompatible Alterations to the Setting and Environment of an historic Property

Interpreting the Standards Bulletin No. 50: Reusing Special Use Structures

Interpreting the Standards Bulletin No 52: Incorporating Solar Panels in a Rehabilitation Project

Interpreting the Standards Bulletin No. 56: Alterations without Historical Basis

ROOFS:

Preservation Brief No. 4: Roofing for Historic Buildings

Preservation Brief No. 19: The Repair and Replacement of Historic Wooden Shingle Roofs

Preservation Brief No. 29: The Repair, Replacement, and Maintenance of Historic Slate Roofs

Preservation Brief No. 30: The Preservation and Repair of Historic Clay Tile Roofs

EXTERIOR WOOD

Preservation Brief No. 8: Aluminum and Vinyl Siding on Historic Buildings: The Appropriateness of Substitute Materials for Resurfacing Historic Wood Frame Buildings

Preservation Brief No. 10: Exterior Paint Problems on Historic Woodwork

Preservation Brief No. 45: Preserving Historic Wood Porches

Interpreting the Standards Bulletin No. 4: Inappropriate Replacement Doors

Interpreting the Standards Bulletin No. 9: Inappropriate Porch Alterations

Preservation Tech Notes: Exterior Woodwork, No. 1 – Proper Painting and Surface Preparation

APT Practice Points 03 – Basics for Wood Inspection: Considerations for Historic Preservation

APT Practice Points 14 – Wood Preservatives and Pressure-treated Wood: Considerations for Historic Preservation Projects

Vinyl is Not Final by Katrina L. Klingman – published in Kansas Preservation newsletter (July-August 2003, Vol. 25, No. 4, Pgs. 9-12)
This article addresses potential problems that can be caused by installing replacement siding.

MASONRY

Preservation Brief No. 1: Cleaning and Water-Repellent Treatments for Historic Masonry Buildings

Preservation Brief No. 2: Repointing Masonry Joints in Historic Masonry Buildings

Preservation Brief No. 22: The Preservation and Repair of Historic Stucco

WINDOWS

Preservation Brief No. 9: The Repair of Historic Wood Windows

Preservation Brief No. 13: The Repair and Thermal Upgrading of Historic Steel Windows

Preservation Brief No. 44: The Use of Awnings on Historic Buildings: Repair, Replacement, and New Design

Planning Successful Rehabilitation Projects: Documentation Requirements for Proposed Window Replacement

Planning Successful Rehabilitation Projects: Evaluating Historic Windows for Repair or Replacement

Planning Successful Rehabilitation Projects: Replacement Windows that Meet the Standards

Interpreting the Standards Bulletin No. 14: New Openings in Secondary Elevations or Introducing New Windows in Blank Walls

Interpreting the Standards Bulletin No. 23: Selecting New Windows to Replace Non-Historic Windows

What Replacement Windows Can't Replace: The Real Cost of Removing Historic Windows by Walter Sedovic and Jill H. Gotthelf – published in APT Bulletin: Journal of Preservation Technology (36:4, 2005)
This article examines a variety of topics that should be considered before replacing historic windows.

An Analysis of the Thermal Performance of Repaired and Replacement Windows by Robert Score and Bradford S. Carpenter – published in APT Bulletin: Journal of Preservation Technology (40:2, 2009)
This article compares the thermal performance of restored steel windows to modern aluminum replacement windows.

A Comparative Study of the Cumulative Energy Use of Historical Versus Contemporary Windows by Frank Shirley, AIA, Fred Gamble,

PhD, and Jarod Galvin, RA, LEED AP, funded by the Boston Society of Architects

This study provides a comparison between two window types installed in a single house, reporting on the thermal performance of the window systems and cost effectiveness of retrofits versus replacement.

The Effects of Energy Efficiency Treatments on Historic Windows by Larry Kinney and Amy Ellsworth from the Center for Resource Conservation

Thermal Performance of Traditional Windows and Low-Cost Energy-Saving Retrofits by Dr. Paul Baker, Roger Curtis, Craig Kennedy, and Chris Wood - published in APT Bulletin: Journal of Preservation Technology (41:1, 2010)

This report provides comparisons on the thermal performance of traditional windows with various upgrade options.

Top Ten Reasons To Restore or Repair Windows by the Window Preservation Alliance (WPA)

A brief summary of the benefits of historic window restoration.

10 Things You Should Know About Retrofitting Historic Windows by the National Trust for Historic Preservation, Preservation Tips and Tools

This article outlines the performance of retrofitted historic windows in comparison to new replacement windows. Spoiler alert: Retrofits for historic windows perform comparably to new replacement windows, and almost every retrofit option offers a

better return on investment (at a fraction of the cost).

Saving Windows, Saving Money: Evaluating the Energy Performance of Window Retrofit and Replacement by the National Trust for Historic Preservation's Preservation Green Lab

This study analyzes existing research on available window improvement options, comparing relative energy, carbon, and cost savings, to demonstrate that inexpensive retrofit strategies can yield the same increase in energy performance as replacement.

COMMERCIAL BUILDING CONCERNS

Preservation Brief No. 11: Rehabilitating Historic Storefronts

Preservation Brief No. 12: The Preservation of Historic Pigmented Structural Glass (Vitrolite and Carrara Glass)

Preservation Brief No. 25: The Preservation of Historic Signs

Preservation Brief No. 32: Making Historic Properties Accessible

Preservation Brief No. 46: The Preservation and Reuse of Historic Gas Stations

Interpreting the Standards Bulletin No. 2: New Infill for Historic Garage Openings

Interpreting the Standards Bulletin No. 13: Repair/Replacement of Missing or Altered Storefronts

Interpreting the Standards Bulletin No. 16: New Infill for Historic Loading Door Openings

Interpreting the Standards Bulletin No. 27:

Adding Awnings to Historic Storefronts and Entrances

Interpreting the Standards Bulletin No. 29: Adding Vehicular Entrances and Garage Doors to Historic Buildings

Interpreting the Standards Bulletin No. 30: New Entries on Mill Buildings

Interpreting the Standards Bulletin No. 42: Industrial Bridges in Mill Complexes

Interpreting the Standards Bulletin No. 43: Converting Fire Escapes to Balconies in Mill Complexes

Interpreting the Standards Bulletin No. 48: Replacement of Missing or Altered Storefronts

Interpreting the Standards Bulletin No. 49: Designing Compatible Replacement Storefronts

Interpreting the Standards Bulletin No. 55: Retaining Industrial Character in Historic Buildings

NEW ADDITIONS AND NEW CONSTRUCTION

Preservation Brief No. 14: New Exterior Additions to Historic Buildings: Preservation Concerns

Planning Successful Rehabilitation Projects: New Additions to Historic Buildings

Planning Successful Rehabilitation Projects: New Construction within the Boundaries of Historic Properties

Interpreting the Standards Bulletin No. 3:

New Additions to Mid-Size Historic Buildings

Interpreting the Standards Bulletin No. 10: Exterior Stair/Elevator Tower Additions

Interpreting the Standards Bulletin No. 18: New Additions to Mid-Size Historic Buildings

Interpreting the Standards Bulletin No. 34: Completing Never-Built Portions of an historic Building

Interpreting the Standards Bulletin No. 36: Rooftop Additions

Interpreting the Standards Bulletin No. 37: Rear Additions to Historic Houses

Interpreting the Standards Bulletin No. 47: Rooftop Additions on Mid-Size Historic Buildings

Interpreting the Standards Bulletin No. 53: Designing New Additions to Provide Accessibility

Preservation Briefs: All

Planning Successful Rehabilitation Projects: All

Interpreting the Standards Bulletins: All

Preservation Tech Notes: All

APT Practice Points: All

SUPPLIERS AND INSTALLERS

WINDOWS AND DOORS

Andersen

D

APPENDIX D

Jeld-Wen

Marvin

Pella

WINDOW RESTORATION SPECIALISTS

Gepetto Millworks

Karnage Creations

Museum Resources

Mozer Works, Inc.

Renew Restoration, Inc.

Shenandoah Restorations

The Craftsman Group

METAL SHINGLES SUPPLIERS AND INSTALLERS

Alpha Rain

Berridge

Best Buy Metal Roofing

The Durable Slate Company

Fine Metal Roof Tech

Pickard Roofing Company, Inc.

Roof Menders

Heather and Little

W.F. Norman



APPENDIX E - INCENTIVE PROGRAMS FOR PRESERVATION ACTIVITIES

There are several programs available offering incentives for historic preservation activities. The two most well-known are the Federal and State historic rehabilitation tax credit programs. Historic tax credits are a dollar-for-dollar reduction on income tax liability for taxpayers who rehabilitate historic buildings. For entities that cannot use the credits (such as non-profits or churches), a process of syndication enables them to be transferred to a taxpaying entity in exchange for cash.

FEDERAL HISTORIC REHABILITATION TAX CREDITS

The Federal Tax Credit Program was established in 1977; to date, rehabilitations have occurred in all fifty states, Puerto Rico, and the Virgin Islands. The Federal Historic Rehabilitation Tax Credit Program offers a 20% income tax credit for the rehabilitation of historic, income-producing buildings that are determined to be “certified historic structures.” In order to be eligible, a property must be individually listed in the National Register of Historic Places, contributing to a National Register Historic District, or deemed eligible, either individually or as part of a district, for inclusion in the National Register.

The tax credit program is a three-part application process:

- Part 1 – Evaluation of Significance: The Part 1 application provides information about the appearance and significance of the project building; this portion of the application is not required for buildings individually listed on the State and National Registers.
- Part 2 – Description of Rehabilitation: The Part 2 application describes the current condition of the building and outlines the planned scope of work for the rehabilitation. The proposed work is evaluated by the SHPO and NPS based on the Secretary of the Interior’s Standards for Rehabilitation.
- Part 3 – Request for Certification of Completed Work: The Part 3 application is submitted upon project completion and documents in photographs that the work was completed as proposed. Approval of this application certifies that the project meets the Standards and is a “certified rehabilitation,” allowing the applicant to claim the 20% credit. In order to adequately review the proposed work, SHPOs/NPS require the following documentation:
 - Photographs: A comprehensive set of photographs documenting both the exterior and interior of a building prior to the start of work must be included with either the Part 1 or Part 2 application. Photographs should be in color, taken at a high resolution, and printed at least 4” x 6” in size on photographic paper. Photographs should also be numbered, labeled or captioned, and keyed to accurate existing floor plans.
 - Drawings: Drawings illustrating the proposed work should be included with the Part 2 application. Sufficient detail should be included to show planned alterations or new

construction. Typical drawings included with a Part 2 application include floor plans, elevations, and sections. Additional detailed drawings, such as those of existing and proposed new windows in the case of window replacement, may also be required for a successful Part 2 application.

- **Maps and Site Plans:** Maps are helpful to include with the Part 1 application to clearly identify the project building site, particularly if it is within an Historic District. If available, historic maps, such as Sanborn Fire Insurance Maps, can also be included to help accurately document changes that were made to a building during or outside of the period of significance.

STATE HISTORIC REHABILITATION TAX CREDITS

The Virginia State Historic Rehabilitation Tax Credit Program was established in 1997. The Virginia program offers a 25% income tax credit for the rehabilitation of historic, owner-occupied or income-producing buildings that are determined to be “certified historic structures”; income-producing projects often qualify for both State and Federal credits. As with the Federal program, in order to be eligible, a property must be individually listed in the National Register of Historic Places, contributing to a National Register historic district, or deemed eligible, either individually or as part of a district, for inclusion in the National Register.

In order to qualify for the program, projects

must be substantial in nature as judged by the Substantial Rehabilitation Test: for the Virginia State program the requirement is dependent on whether the building is an owner-occupied residence or an income-producing property: for owner-occupied residences, the eligible expenditures must be at least 25% of the local government’s assessed value of the building (excluding land) in the year prior to starting work, while for income-producing properties, the eligible expenditures must be at least 50% of the local assessed value. The measuring period for the Substantial Rehabilitation Test is 24 months, unless a project is phased, then the measuring period is extended to 60 months.

The measuring period must end the same year that the project is completed, but the owner does not have to complete the project within the measuring period. For Virginia projects, as described above, the assessed value is determined the year prior to starting work. Additionally, if phased, the phasing plan must be submitted with the Part 2 application. At the completion of a Federal project, there is no holding period; once the project is closed out, the applicant can do additional work on the building without reporting it to the Virginia Department of Historic Resources. The credits can be carried forward for ten years; there is no carryback with State credits.

Direct links to more information are also provided in the Resource Guide.

APPENDIX F - REGULATORY FRAMEWORK

The following sections of the Virginia State Code and the Cape Charles Zoning Ordinance have been provided as references for the regulatory framework for the creation of local historic districts and design standards.

VIRGINIA STATE CODE

The Code of Virginia establishes the right for any locality to adopt historical preservation ordinances in Section 15.2-2306:

§ 15.2-2306. Preservation of historical sites and architectural areas.

A. 1. Any locality may adopt an ordinance setting forth the historic landmarks within the locality as established by the Virginia Board of Historic Resources, and any other buildings or structures within the locality having an important historic, architectural, archaeological or cultural interest, any historic areas within the locality as defined by § 15.2-2201, and areas of unique architectural value located within designated conservation, rehabilitation or redevelopment districts, amending the existing zoning ordinance and delineating one or more historic districts, adjacent to such landmarks, buildings and structures, or encompassing such areas, or encompassing parcels of land contiguous to arterial streets or highways (as designated pursuant to Title 33.2, including § 33.2-319 of that title) found by the governing body to be significant routes of tourist access to the locality or to designated historic landmarks, buildings, structures or districts therein or in a contiguous locality. A governing body may provide in the ordinance that

the applicant must submit documentation that any development in an area of the locality of known historical or archaeological significance will preserve or accommodate the historical or archaeological resources. An amendment of the zoning ordinance and the establishment of a district or districts shall be in accordance with the provisions of Article 7 (§ 15.2-2280 et seq.) of this chapter. The governing body may provide for a review board to administer the ordinance and may provide compensation to the board. The ordinance may include a provision that no building or structure, including signs, shall be erected, reconstructed, altered or restored within any such district unless approved by the review board or, on appeal, by the governing body of the locality as being architecturally compatible with the historic landmarks, buildings or structures therein.

2. Subject to the provisions of subdivision 3 of this subsection the governing body may provide in the ordinance that no historic landmark, building or structure within any district shall be razed, demolished or moved until the razing, demolition or moving thereof is approved by the review board, or, on appeal, by the governing body after consultation with the review board.

3. The governing body shall provide by ordinance for appeals to the circuit court for such locality from any final decision of the governing body pursuant to subdivisions 1 and 2 of this subsection and shall specify therein the parties entitled to appeal the decisions, which parties shall have the right to appeal to the circuit court for review by filing a petition

at law, setting forth the alleged illegality of the action of the governing body, provided the petition is filed within thirty days after the final decision is rendered by the governing body. The filing of the petition shall stay the decision of the governing body pending the outcome of the appeal to the court, except that the filing of the petition shall not stay the decision of the governing body if the decision denies the right to raze or demolish an historic landmark, building or structure. The court may reverse or modify the decision of the governing body, in whole or in part, if it finds upon review that the decision of the governing body is contrary to law or that its decision is arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the governing body.

In addition to the right of appeal herein above set forth, the owner of an historic landmark, building or structure, the razing or demolition of which is subject to the provisions of subdivision 2 of this subsection, shall, as a matter of right, be entitled to raze or demolish such landmark, building or structure provided that: (i) he has applied to the governing body for such right, (ii) the owner has for the period of time set forth in the same schedule hereinafter contained and at a price reasonably related to its fair market value, made a bona fide offer to sell the landmark, building or structure, and the land pertaining thereto, to the locality or to any person, firm, corporation, government or agency thereof, or political subdivision or agency thereof, which gives reasonable assurance that it is willing to preserve and restore the landmark, building or structure and the land pertaining thereto, and (iii) no

bona fide contract, binding upon all parties thereto, shall have been executed for the sale of any such landmark, building or structure, and the land pertaining thereto, prior to the expiration of the applicable time period set forth in the time schedule hereinafter contained. Any appeal which may be taken to the court from the decision of the governing body, whether instituted by the owner or by any other proper party, notwithstanding the provisions heretofore stated relating to a stay of the decision appealed from shall not affect the right of the owner to make the bona fide offer to sell referred to above. No offer to sell shall be made more than one year after a final decision by the governing body, but thereafter the owner may renew his request to the governing body to approve the razing or demolition of the historic landmark, building or structure. The time schedule for offers to sell shall be as follows: three months when the offering price is less than \$25,000; four months when the offering price is \$25,000 or more but less than \$40,000; five months when the offering price is \$40,000 or more but less than \$55,000; six months when the offering price is \$55,000 or more but less than \$75,000; seven months when the offering price is \$75,000 or more but less than \$90,000; and twelve months when the offering price is \$90,000 or more.

4. The governing body is authorized to acquire in any legal manner any historic area, landmark, building or structure, land pertaining thereto, or any estate or interest therein which, in the opinion of the governing body should be acquired, preserved and maintained for the use, observation, education, pleasure and welfare of the people; provide for their

renovation, preservation, maintenance, management and control as places of historic interest by a department of the locality or by a board, commission or agency specially established by ordinance for the purpose; charge or authorize the charging of compensation for the use thereof or admission thereto; lease, subject to such regulations as may be established by ordinance, any such area, property, lands or estate or interest therein so acquired upon the condition that the historic character of the area, landmark, building, structure or land shall be preserved and maintained; or to enter into contracts with any person, firm or corporation for the management, preservation, maintenance or operation of any such area, landmark, building, structure, land pertaining thereto or interest therein so acquired as a place of historic interest; however, the locality shall not use the right of condemnation under this subsection unless the historic value of such area, landmark, building, structure, land pertaining thereto, or estate or interest therein is about to be destroyed.

The authority to enter into contracts with any person, firm or corporation as stated above may include the creation, by ordinance, of a resident curator program such that private entities through lease or other contract may be engaged to manage, preserve, maintain, or operate, including the option to reside in, any such historic area, property, lands, or estate owned or leased by the locality. Any leases or contracts entered into under this provision shall require that all maintenance and improvement be conducted in accordance with established treatment standards for historic landmarks, areas, buildings, and

structures. For purposes of this section, leases or contracts that preserve historic landmarks, buildings, structures, or areas are deemed to be consistent with the purposes of use, observation, education, pleasure, and welfare of the people as stated above so long as the lease or contract provides for reasonable public access consistent with the property's nature and use. The Department of Historic Resources shall provide technical assistance to local governments, at their request, to assist in developing resident curator programs.

B. Notwithstanding any contrary provision of law, general or special, no approval of any governmental agency or review board shall be required for the construction of a ramp to serve the handicapped at any structure designated pursuant to the provisions of this section.

C. Any locality that establishes or expands a local historic district pursuant to this section shall identify and inventory all landmarks, buildings, or structures in the areas being considered for inclusion within the proposed district. Prior to adoption of an ordinance establishing or expanding a local historic district, the locality shall (i) provide for public input from the community and affected property owners in accordance with § 15.2-2204; (ii) establish written criteria to be used to determine which properties should be included within a local historic district; and (iii) review the inventory and the criteria to determine which properties in the areas being considered for inclusion within the proposed district meet the criteria to be included in a local historic district. Local historic district

boundaries may be adjusted to exclude properties along the perimeter that do not meet the criteria. The locality shall include only the geographical areas in a local historic district where a majority of the properties meet the criteria established by the locality in accordance with this section. However, parcels of land contiguous to arterial streets or highways found by the governing body to be significant routes of tourist access to the locality or to designated historic landmarks, buildings, structures, or districts therein, or in a contiguous locality may be included in a local historic district notwithstanding the provisions of this subsection.

1973, c. 270, § 15.1-503.2; 1974, c. 90; 1975, cc. 98, 574, 575, 641; 1977, c. 473; 1987, c. 563; 1988, c. 700; 1989, c. 174; 1993, c. 770; 1996, c. 424; 1997, cc. 587, 676; 2009, c. 290; 2011, c. 237; 2012, c. 790.

CAPE CHARLES ZONING ORDINANCE
The Town of Cape Charles' Zoning Ordinance establishes and regulates the [Cape Charles Historic District Overlay in Article 8. - Historic District Overlay, Sections 8.1 - 8.37.](#)

ENDNOTES

- 1 <https://www.dhr.virginia.gov/certified-local-government-clg/>, accessed December 23, 2021.
- 2 Letter from Jason Pruitt, Town Planner, to Camille Bowman, Virginia Department of Historic Resources, Tidewater Regional Office, dated January 17, 2006.
- 3 Letter from Kathleen S. Kilpatrick, State Historic Preservation Officer, Commonwealth of Virginia, to Megan Brown, Certified Local Government Coordinator, National Park Service, dated January 25, 2007.
- 4 National Register of Historic Places. 1997. How to apply the National Register criteria for evaluation. [Washington, D.C.]: [U.S. Dept. of the Interior, National Park Service, Cultural Resources].

APPENDIX E ENDNOTES

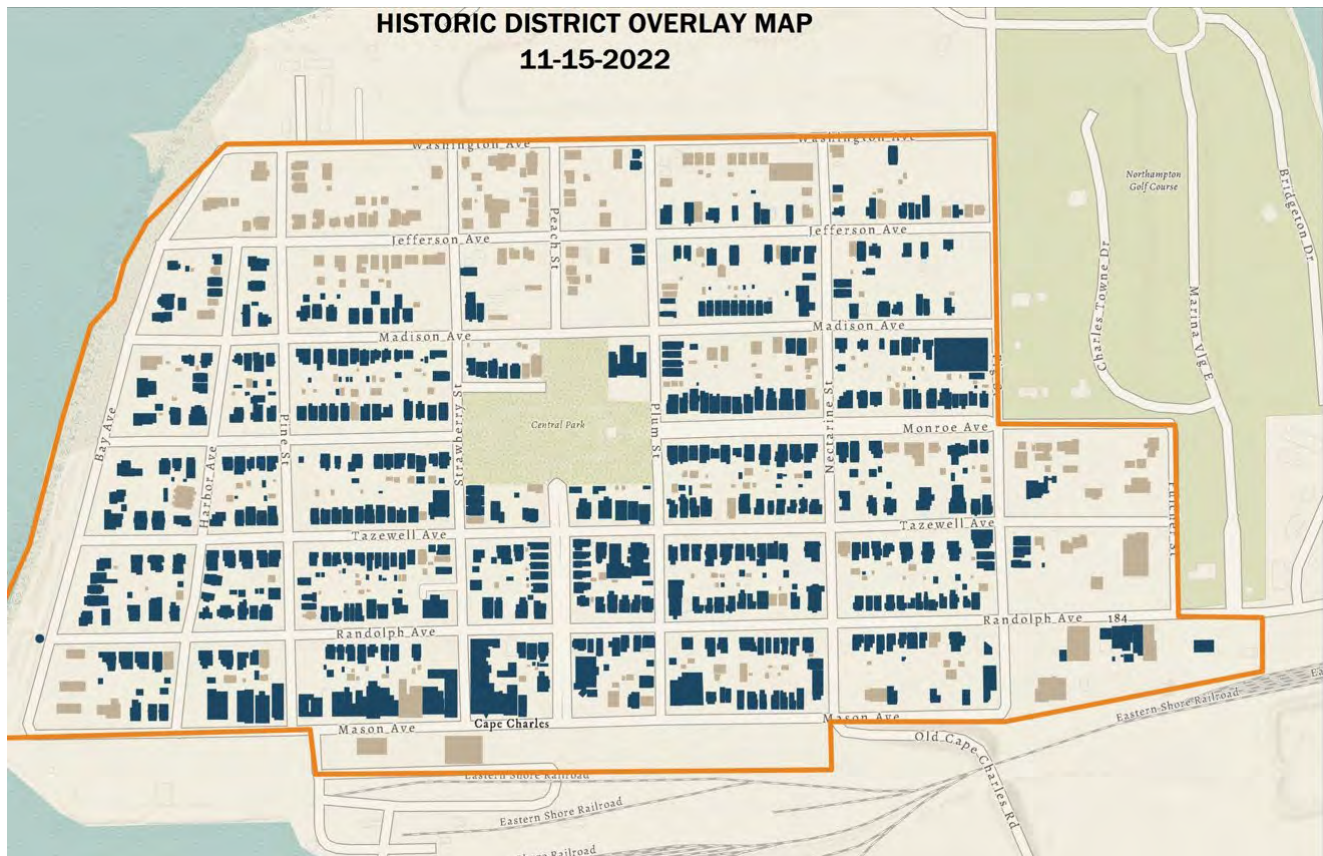
- i. Town of Cape Charles, Virginia. "Cape Charles Historic District Guidelines." 2017: 1.
- ii. David A. Edwards and John S. Salmon. "Cape Charles Historic District National Register Nomination Form." Virginia Department of Historic Resources. Richmond, Virginia, 1989: Section 7, p. 1; and Commonwealth Preservation Group. "Cape Charles Historic District National Register Nomination Update." Norfolk, Virginia, 2019: 107.
- iii. Edwards and Salmon, 1989: Section 8.
- iv. Commonwealth Preservation Group, 2019: 108.
- v. Edwards and Salmon, 1989: Section 7.
- vi. Commonwealth Preservation Group, 2019: 107.
- vii. Edwards and Salmon, 1989: Section 7.
- viii. Town of Cape Charles. 1999 Comprehensive Plan. Cape Charles, VA, 1999: 40.
- ix. Edwards and Salmon, 1989.
- x. Edwards and John S. Salmon, 1989: Section 7, p. 1.
- xi. Commonwealth Preservation Group, 2019: 2.



 TOWN OF CAPE CHARLES	AGENDA TITLE: Reaffirmation of Historic District Overlay Map & Zoning Text Amendments to §8.2		AGENDA DATE December 15, 2022
	SUBJECT/PROPOSAL/REQUEST: Historic District Overlay Map and detailed Bounds Description		ITEM NUMBER: 8D (i)
	ATTACHMENTS: Historic District Overlay Map and detailed Bounds Description		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Katie H. Nunez, Planning & Zoning Administrator		REVIEWED BY: John Hozey, Town Manager

BACKGROUND:

As part of the review and researching of the supporting documentation for the revisions to the Historic District Design Guidelines, staff was unable to locate through the Town Council's adopted minutes, a specific map reflecting the bounds of the Historic District. I was able to locate a map that the Town filed with the Virginia Department of Historic Resources which we have used as the template to recreate for inclusion into the Historic District Guidelines document as well as in the Comprehensive Plan



BOUNDS DESCRIPTION

The Historic District Overlay is bounded by the following and encompasses all of the areas within said bounds and will be shown as an Overlay Map to the Town's Zoning Map:

- Starting from the beach front at the corner of Mason Avenue and Bay Avenue and running north along Bay Avenue to the corner of Washington Avenue;
- then running east down the center line of Washington Avenue to the corner of Fig Street;
- then running south down the center line of Fig Street to the corner of Monroe Avenue;
- then running east down the center line of Monroe Avenue to the corner of Fulcher Street;

- then running south down the center line of Fulcher Street to the intersection with Randolph Avenue;
- then running east along Randolph Avenue for approximately 300 feet to the far east property line of the Cape Charles Historical Society (Tax Map #83A4-1-B-23) located on the south side of Randolph Avenue;
- then running west approximately 952 feet along the rear property lines of the Cape Charles Historical Society (Tax Map #83A4-1B-83 & 84), the Town of Cape Charles (Tax Map #83A4-4-76) and Rayfield Pharmacy (Tax Map #83A4-4-74 & 75 and 83A4- A-21) properties to the corner of Fig Street and Mason Avenue,
- then continuing to run west along Mason Avenue to the intersection of Nectarine Street;
- then turning south and running 140 feet then turning west for approximately 2,045 ft up to but not including Tax Map #83A3-A-5 (currently owned by Cape Charles RF, LLC and historically referenced as the former Tavi property) then turning north and running 140 feet to Mason Avenue; and
- then turning west along Mason Avenue to the beach front at the intersection with Bay Avenue. This moves an area south of Mason Avenue near the harbor from the intersection of Nectarine Street and running approximately 2,045 ft which had formerly been labeled as Historic Harbor Overlay and this merges the Historic Overlay Map so that there is only one Historic Overlay Map.

STAFF REVIEW:

The staff feels that an exhaustive search was conducted by Town records and believes the map we are utilizing as the basis for Town Council to reaffirm is accurate and complete.

PLANNING COMMISSION RECOMMENDATION

A joint public hearing was held on December 6, 2022 and staff gave an overview of the matter. There were no questions and the public hearing was closed to public comment.

On motion by Commissioner Grossman and seconded by Commissioner Butta, it was recommended to have the consultant fix the map to show that the western most boundary runs up the middle of Bay Avenue (and not on the beach front itself) and then recommend its adoption to the Town Council along with the bounds description. The motion was carried unanimously.

TOWN COUNCIL

Town Council is requested to consider all public comments provided and consider favorably the motion from the Planning Commission and adopt **Ordinance 20221215A**.

ORDINANCE 20221215A

REAFFIRMING THE HISTORIC DISTRICT OVERLAY MAP AND AMENDING CAPE CHARLES ZONING ORDINANCE SECTION 8.3 – INVENTORY OF LANDMARKS AND CONTRIBUTING PROPERTIES ESTABLISHED

WHEREAS, the Cape Charles Zoning Ordinance is a compilation of ordinances establishing zoning regulations for the Town of Cape Charles and providing for the administration and enforcement of the regulations; and

WHEREAS, the Zoning Ordinance classifies the territory under the Town's jurisdictions into districts and within each district a set of regulations for the use of land, buildings, structures, and their size, construction, etc.; and

WHEREAS, the older Town Council minutes referenced several amendments to the Historic District Overlay map over the last decade, but did not contain a district description nor a copy of the proposed map; and

WHEREAS, staff was able to confirm that a map with boundaries had been provided to the Virginia Department of Historic Resources in the mid-2010s; and

WHEREAS, the attached Historic District Overlay Map needs to be reaffirmed as the official Historic District Overlay Map for the Town of Cape Charles; and

WHEREAS, in addition to the reaffirmation of the Historic District Overlay Map, a new paragraph describing the bounds of the District will be added to Cape Charles Zoning Ordinance, Section 8.3 as follows:

Historic District Overlay is bounded by the following and encompasses all of the areas within said bounds and will be shown as an Overlay Map to the Town's Zoning Map:

- *Starting from the beach front at the corner of Mason Avenue and Bay Avenue and running north along Bay Avenue to the corner of Washington Avenue;*
- *Then running east down the center line of Washington Avenue to the corner of Fig Street;*
- *Then running south down the center line of Fig Street to the corner of Monroe Avenue;*
- *Then running east down the center line of Monroe Avenue to the corner of Fulcher Street;*
- *Then running south down the center line of Fulcher Street to the intersection with Randolph Avenue;*
- *Then running east along Randolph Avenue for approximately 300 feet to the far east property line of the Cape Charles Historical Society (Tax Map #83A4-1-B-23) located on the south side of Randolph Avenue;*
- *Then running west approximately 952 feet along the rear property lines of the Cape Charles Historic Society (Tax Map #82A4-1B-83 & 84), the Town of Cape Charles (Tax Map #83A4-4-76) and Rayfield Pharmacy (Tax Map #83A4-4-74 & 75 and 83A4-A-21) properties to the corner of Fig Street and Mason Avenue;*
- *Then continuing to run west along Mason Avenue to the intersection of Nectarine Street;*
- *Then turning south and running 140 feet then turning west for approximately 2,045 feet up to, but not including, Tax Map #83A3-A-5 (currently owned by Cape Charles RF, LLC and historically referenced as the former Tavi property) then turning north and running 140 feet to Mason Avenue;*
- *Then turning west along Mason Avenue to the beach front at the intersection with Bay Avenue.*

WHEREAS, this moves an area south of Mason Avenue near the harbor from the intersection of Nectarine Street and running approximately 2,045 feet which had formerly been labeled as Historic Harbor Overlay and merges the Historic Overlay Map so that there is only one Historic Overlay Map;

WHEREAS, pursuant to Code of Virginia §§ 15.2-2285 and 15.2-2204, after proper notice joint public hearings were held by the Planning Commission and Town Council, and the Planning Commission reviewed and deliberated the proposed revisions, and approved by majority vote, making recommendation for Town Council approval of the reaffirmation of the Historic District Overlay Map, as attached, and the revisions made to Section 8.3 as shown above; now

THEREFORE, BE IT ORDAINED by the Town Council of Cape Charles, this 15th day of December 2022, that the attached map be reaffirmed as the official Cape Charles Historic District Overlay Map, and the Cape Charles Zoning Ordinance, Section 8.3 be revised as shown, as may be amended by Council, to become effective immediately.

Adopted by the Town Council of Cape Charles on December 15, 2022

By: _____
Mayor

ATTEST:

Town Clerk



APPLICATION FOR ZONING MAP AMENDMENT

Planning & Zoning Department
757-3331-3259 x 24
planningtech@capecharles.org

✓ Revised 11/2022	
Taxes	
Violations	
Fee	
Decision	

Completed by P& Z Department Staff:

Date Application Received: 11-14-2022

Town Application # ZMA2022-02

Referred to (check one): ☒ Town Application

☐

Planning Commission

☐

Town Council

Date of Mtg: _____

DECISION OF BOARD: _____

Provide dates of future public hearings, if needed: _____

TO BE COMPLETED BY APPLICANT

Applicant Name: Town of Cape Charles

List All Landowners, if Property is owned by an LLC, LP or other form of corporation:

Property Address: Historic District Overlay – all properties within said overlay district

Phone: 757-331-2036

Email Address: knunez@capecharles.org

Mailing Address: 2 Plum Street, Cape Charles, VA 23310

Property Location: Whole Historic District Overlay

Tax Map #: All properties in the Historic District Overlay Map

Zoning District Impacted by Proposed Application: There are a mix of underlying zoning district within the Historic District Overlay, primarily Residential-1, Commercial-1 and Commercial-Residential.

Zoning Map Amendment Application (also referred to as a Rezoning or Conditional Rezoning) may be submitted by a Cape Charles property owner and may be advanced to public hearing, after this application is submitted to Town Council who authorizes said applications to public hearings, first to the Planning Commission in compliance with the Code of Virginia Section 15.2-2285 and 15.2-2204.

The applicant will be required to make a presentation to fully explain the request and demonstrate the need for said request and how the Comprehensive Plan supports and maintains compliance with the goals and objectives of the Comprehensive Plan

Additionally, the Planning Commission or Town Council may prepare and submit an application for a zoning map amendment with either the Town Manager or the Zoning Administrator or Planning Director representing the application on behalf of the Town.

TO BE COMPLETED BY THE APPLICANT:

A. Tax Map and Current Zoning of Subject Property:

All properties contained within the bounds of the Historic District Overlay

B. Proposed Zoning of Subject Property:

Retaining the same district zoning of each parcel within the Historic District and just clarifying the restating the bounds of the Historic District Overlay (see Map enclosed) and below is public hearing description of the bounds of the District to also insert this description within Cape Charles Zoning Ordinance Section 8.3 as a new paragraph:

The Historic District Overlay is bounded by the following and encompasses all of the areas within said bounds and will be shown as an Overlay Map to the Town's Zoning Map:

- Starting from the beach front at the corner of Mason Avenue and Bay Avenue and running north along Bay Avenue to the corner of Washington Avenue;
- then running east down the center line of Washington Avenue to the corner of Fig Street;
- then running south down the center line of Fig Street to the corner of Monroe Avenue;
- then running east down the center line of Monroe Avenue to the corner of Fulcher Street;
- then running south down the center line of Fulcher Street to the intersection with Randolph Avenue;
- then running east along Randolph Avenue for approximately 300 feet to the far east property line of the Cape Charles Historical Society (Tax Map #83A4-1-B-23) located on the south side of Randolph Avenue;
- then running west approximately 952 feet along the rear property lines of the Cape Charles Historical Society (Tax Map #83A4-1B-83 & 84), the Town of Cape Charles (Tax Map #83A4-4-76) and Rayfield Pharmacy (Tax Map #83A4-4-74 & 75 and 83A4- A-21) properties to the corner of Fig Street and Mason Avenue,
- then continuing to run west along Mason Avenue to the intersection of Nectarine Street;
- then turning south and running 140 feet then turning west for approximately 2,045 ft up to but not including Tax Map #83A3-A-5 (currently owned by Cape Charles RF, LLC and historically referenced as the former Tavi property) then turning north and running 140 feet to Mason Avenue; and
- then turning west along Mason Avenue to the beach front at the intersection with Bay Avenue. This moves an area south of Mason Avenue near the harbor from the intersection of Nectarine Street and running approximately 2,045 ft which had formerly been labeled as Historic Harbor Overlay and this merges the Historic Overlay Map so that there is only one Historic Overlay Map.

- C. **NARRATIVE** *explaining the reason for the zoning map amendment. Also state how this application is supported through the Comprehensive Plan, providing section and page number support. Include additional pages as needed to fully complete this Narrative and provide any supporting documentation as you deem relevant.*

The Town Council minutes did not provide absolute proof of the bounds of the Historic District Overlay – they referenced several amendments to the map over the last decade but the minutes did not actually contain a district description nor a copy of the proposed map. Staff was able to confirm that a map with these bounds had been provided to the Virginia Dept of Historic Resources sometime in the mid-2010's. Therefore, there are no proposed additions of parcels to the Overlay District Map just looking to re-affirm the bounds and also to add a text description of the bounds to the Ordinance itself with the accompanying map.

The Town also had a second Overlay Map for the History Harbor area – this has been merged to show on one Overlay Map.

COMPREHENSIVE PLAN

Pages 20-21

Section III – Future Land Use: Guiding Decisions for the Coming Decades

III-A.5.1 OVERALL POLICIES FOR CAPE CHARLES NEIGHBORHOODS

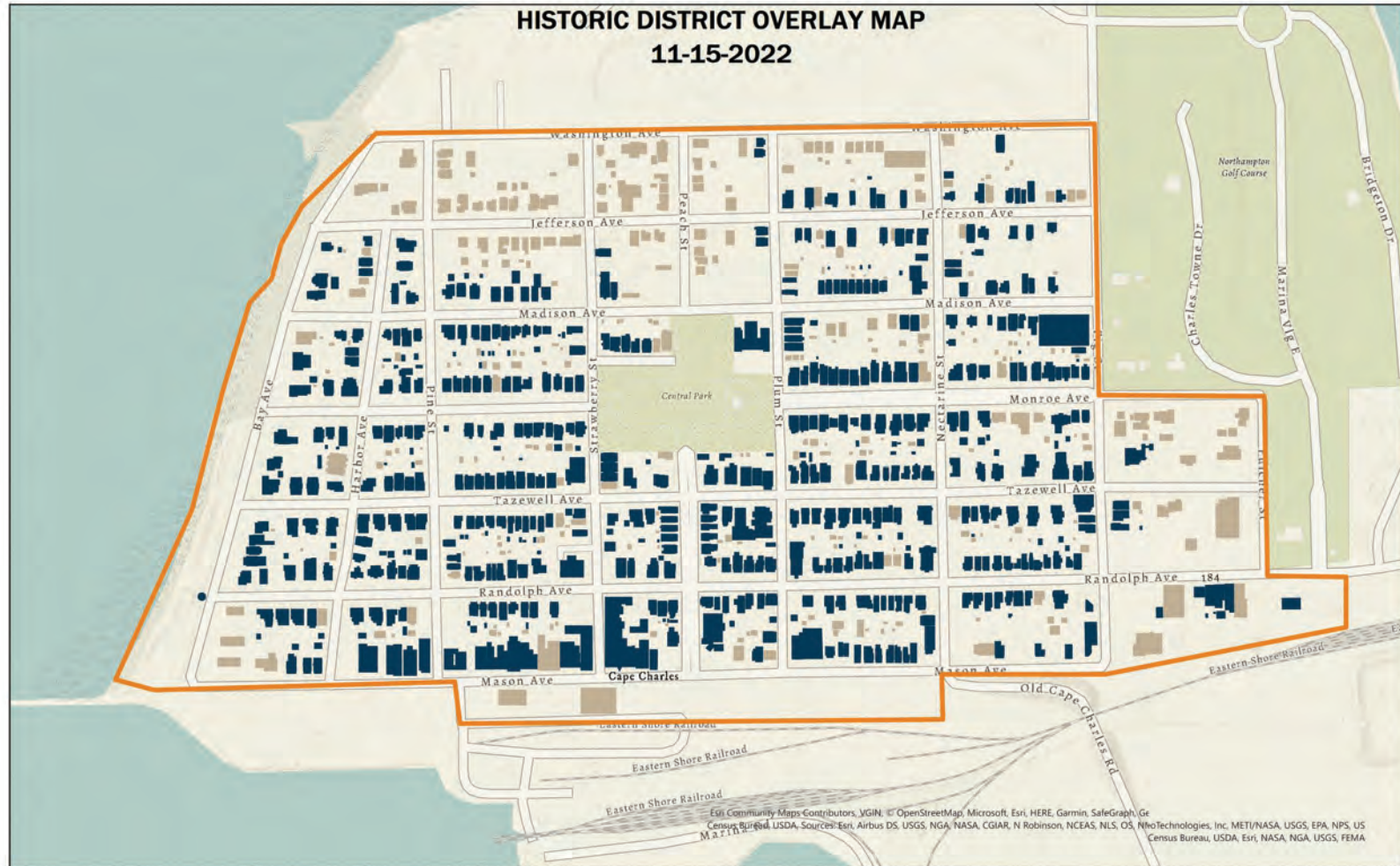
1. Preserved and enhance the integrity of the Historic District.
 - Strengthen the historic preservation ordinance to ensure maintenance and preservation of the existing historic building stock.

Signature of Applicant: Katie H. Nunez Date: 11/14/2022

Application fee: \$200 (mailing and advertising fees are billed separately)

HISTORIC DISTRICT OVERLAY MAP

11-15-2022



 TOWN OF CAPE CHARLES	AGENDA TITLE: Zoning Text Amendments to CCZO Section VIII – various sections		AGENDA DATE December 15, 2022
	SUBJECT/PROPOSAL/REQUEST: Historic District Overlay District – several zoning text amendments		ITEM NUMBER: 8D (ii thru x)
	ATTACHMENTS: Historic District Overlay Map and detailed Bounds Description		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Katie H. Nunez, Planning & Zoning Administrator	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

As part of the Historic District Guidelines development process, it was noted that several amendments would be required to the Historic District Overlay Zoning Ordinance to bring it into compliance with the proposed guidelines.

STAFF REVIEW:

The staff has worked with the consultant, Commonwealth Preservation Group, in the development of the zoning text amendments and is fully supportive of these proposed changes to Article VIII of the Cape Charles Zoning Ordinance. I am providing one staff report to cover Town Council Agenda Items #8D (ii thru x)

8D - Zoning Ordinance Text Amendments:

Town Council Agenda #	Town Council Agenda Item	Summary Description of Zoning Text Amendment
8D (ii)	§ 3.2-District Regulations – Single Family Residential District R-1	Vinyl siding deletion in the District Regulations
8D (iii)	§8.2: Inventory of Landmarks and Contributing Properties Established	Date of adoption of new Historic Guidelines and add 2019 Inventory of Contributing and Noncontributing Structures
8D (iv)	§ 8.4-Application of the District; Relation to Other Zoning Districts	Prevailing Document between Ordinance and Guidelines if there is a conflict
8D (v)	§ 8.8-Historic Board: Terms	HDRB Appointees are at will of Town Council
8D (vi)	§ 8.14(E)-Historic District Review Board: Powers and Duties	Insert date of Adoption of newly revised Historic District Guidelines once adopted by Town Council
8D (vii)	§ 8.20-Design Guidelines; Recommendations for Review	Delete Section 8.20 where it is asking to create guidelines for new infill construction and non-contributing structures – since new guidelines have chapters for that
8D (viii)	§ 8.20 (A)-Design Guidelines; Recommendations for Review	To all pre-application process to be optional
8D (ix)	§ 8.25(A)-Receipt of Application	Detailing the pre-application process as optional
8D (x)	§8.29: Expirations of Certificates of Appropriateness	Change expiration of CofA from 12 months to 6 months.

PLANNING COMMISSION RECOMMENDATION

A joint public hearing was held on December 6, 2022 and staff gave an overview of each zoning text amendment application. There were no questions and the public hearing was closed to public comment.

On motion by Commissioner Grossman and seconded by Commissioner McCoy, all of the zoning text amendments were recommended as presented for favorable consideration to the Town Council with the except of the two zoning text amendments, which are bolded in the list above in Staff Review Section and listed below which each required a correction. These corrections were also included as part of the Planning Commission to favorably recommend to the Town Council:

LEGEND FOR ZONING CHANGES: Town Council Agenda Item #8D (iii) – ZTA 2022-03 (italics = original language; bold = proposed; red strikethrough = correction)

- (1) Town Council Agenda Item #8D (iii): Proposed addition to Section 8.3 should read as follows:
The Town of Cape Charles has established as part of this ordinance a map covering the area included in the Historic District, based on the criteria set forth in this ordinance and fully described ~~under~~ within Section 8.3 as described in ZMA 2022-02 and further contained in Chapter 1 of the Newly Revised Historic District Guidelines as adopted by the Town Council on (date to be inserted) and ...
- (2) Town Council Agenda Item #8D (viii): Proposed correction is as follows:
The Historic District Review Board shall be guided in its decisions by the design guidelines but must also use independent judgment and discretion to consider the unique characteristics of each request. The board is expected to work with each applicant to assist them in achieving their goal while preserving the character of the district. The board and staff ~~shall~~ may utilize the pre-application review process as defined in Section 8.25A.

The Planning Commission motion with these two corrections was passed unanimously.

TOWN COUNCIL

Town Council is requested to consider all public comments provided and consider favorably the motion from the Planning Commission with the two agenda items and their corrections and adopt all of the affiliated **Resolutions for each zoning text amendment.**

ORDINANCE 20221215B

**AMENDING CAPE CHARLES ZONING ORDINANCE SECTIONS 3.2(I) – DISTRICT
REGULATIONS – SINGLE FAMILY RESIDENTIAL DISTRICT R-1, AND
3.6 – DISTRICT REGULATIONS – COMMERCIAL DISTRICT C-1**

WHEREAS, the Cape Charles Zoning Ordinance is a compilation of ordinances establishing zoning regulations for the Town of Cape Charles and providing for the administration and enforcement of the regulations; and

WHEREAS, the Zoning Ordinance classifies the territory under the Town’s jurisdictions into districts and within each district a set of regulations for the use of land, buildings, structures, and their size, construction, etc.; and

WHEREAS, there is currently a conflict between the Cape Charles Zoning Ordinance and the Historic District Guidelines regarding the use of vinyl siding; and

WHEREAS, the proposed text amendments to §§ 3.2.I.6, and 3.6.F.1.e (as attached) would alleviate the conflict but also allow vinyl siding as a possible material choice if it is deemed an alternative material through the review process outlined under Chapter 7.1 of the updated Cape Charles Historic District Overlay Design Guidelines; and

WHEREAS, pursuant to Code of Virginia §§ 15.2-2285 and 15.2-2204, after proper notice joint public hearings were held by the Planning Commission and Town Council, and the Planning Commission reviewed and deliberated the proposed revisions, and approved by majority vote, making recommendation for Town Council approval of the revisions made to §§ 3.2.I.6 and 3.6.F.1.e (as attached); now

THEREFORE, BE IT ORDAINED by the Town Council of Cape Charles, this 15th day of December 2022, that Cape Charles Zoning Ordinance be revised as shown in the attached, as may be amended by Council, to become effective immediately.

Adopted by the Town Council of Cape Charles on December 15, 2022

By: _____
Mayor

ATTEST:

Town Clerk

Section 3.2 Single Family Residential District R-1

I. Development Standards

6. Materials. New construction should use materials in a manner sympathetic to the character of the existing neighborhood houses. It is encouraged that materials should be of similar or complementary size, texture, scale, craftsmanship, and applicability to function performed. It should be noted that the sympathetic use of materials does not imply that materials used in new construction will replicate the old in detail nor that new construction will attempt to imitate existing structures. Rather, it is a matter of determining the compatibility of new construction. Certain materials are potentially so visually intrusive that their use for new construction in the R-1 District will not be permitted. These materials include:

- a. asphalt siding, vertical plywood siding, aluminum siding
- b. exposed concrete block above foundation level
- c. corrugated metal, except for roof applications
- d. flush doors (hollow or solid core)

~~Vinyl siding will be permitted as long as each individual clapboard is no wider than five inches.~~

Section 3.6 Commercial District C-1

F. Development/Redevelopment Standards:

1. Statement of Intent. The development standards below are intended to help preserve the architectural character of the Town of Cape Charles' commercial districts by requiring that all façade reconstruction/ rehabilitation must conform to the building style as described in the U.S. Department of Interior National Register without the addition to or removal of contributing elements. New construction, additions, and alterations must be compatible, sympathetic, and complementary to the original or existing buildings in built-up areas. Development concepts are illustrated below to clarify the intent of the development standards.

- e. Materials. New construction should use materials in a manner sympathetic to the historic buildings in the Town of Cape Charles. Materials should be of similar or complementary color, size, texture, scale, craftsmanship, and applicability to function performed.

It should be noted that the sympathetic use of materials does not imply that materials used in new construction will replicate the old in detail nor that new construction will attempt to imitate historic structures. Rather, it is a matter of determining the compatibility of the new with the old. Certain materials are potentially so visually intrusive that their use for new construction in the Town will not be permitted. These materials include:

- aluminum or ~~vinyl siding~~
- asphalt siding
- carpeted porch floors and steps
- corrugated metal, except for roof applications
- exposed concrete block above foundation level
- exposed concrete masonry
- faux brick and stone (brick face)
- flush exterior doors
- inappropriate window treatments

- jalousie windows
- picture windows
- windows with horizontal glazing
- metal or wood awnings
- open mesh-type fencing
- ornamental pierced concrete masonry screens and walls
- painted concrete masonry
- unpainted wood
- vertical plywood siding
- vertical wood siding on primary structures
- wrought iron and aluminum porch columns



APPLICATION FOR ZONING TEXT AMENDMENT

Planning & Zoning Department
757-3331-3259 x 24
planningtech@capecharles.org

✓ Revised 11/2022	
Taxes	
Violations	
Fee	
Decision	

Completed by P& Z Department Staff:

Date Application Received: 11-14-2022

Town Application # ZTA2022-02

Referred to (check one): ☒ Town Application



Planning Commission



Town Council

Date of Mtg: _____

DECISION OF BOARD: _____

Provide dates of future public hearings, if needed: _____

TO BE COMPLETED BY APPLICANT

Applicant Name: Town of Cape Charles

List All Landowners, if Property is owned by an LLC, LP or other form of corporation:

Property Address: Historic District Overlay – all properties within said overlay district

Phone: 757-331-2036

Email Address: knunez@capecharles.org

Mailing Address: 2 Plum Street, Cape Charles, VA 23310

Property Location: Whole Historic District Overlay

Tax Map #: All properties in the Historic District Overlay Map

Zoning District Impacted by Proposed Application: There are a mix of underlying zoning district within the Historic District Overlay, primarily Residential-1, Commercial-1 and Commercial-Residential.

Zoning Text Application may be submitted by a Cape Charles property owner but a Zoning Text Amendment may only be advanced to public hearing, after this application is advanced as a petition to either the Planning Commission or the Town Council meeting agenda, after staff consultation with the Town Manager. Once this matter is heard at a meeting of one of these respective entities, the application will be required to make a presentation to fully explain the request and demonstrate the need for said request and how the Comprehensive Plan supports and maintains compliance with the goals and objectives of the Comprehensive Plan. The application will need to receive an affirmative vote of the Cape Charles Town Council or Cape Charles Planning Commission to step in as the applicant and to set a calendar advancing the application to public hearing in compliance with the Code of Virginia Section 15.2-2285 and 15.2-2204

Either the Planning Commission or Town Council may prepare and submit an application for a zoning text amendment with either the Town Manager or the Zoning Administrator or Planning Director representing the application on behalf of the Town.

TO BE COMPLETED BY THE APPLICANT:

A. Zoning Ordinance Section Proposed to be Amended (Sec # & Title):

CCZO Section 3.2 (I) 6 (District Regulations – Single Family Residential District R-1 Development Standards) & 3.6 (Commercial-1) /Development Standards

B. Existing Zoning Text:

3.2 (I) (6). Materials.

New construction should use materials in a manner sympathetic to the character of the existing neighborhood houses. It is encouraged that materials should be of similar or complementary size, texture, scale, craftsmanship, and applicability to function performed. It should be noted that the sympathetic use of materials does not imply that materials used in new construction will replicate the old in detail nor that new construction will attempt to imitate existing structures. Rather, it is a matter of determining the compatibility of new construction. Certain materials are potentially so visually intrusive that their use for new construction in the R1 District will not be permitted. These materials include: a. asphalt siding, vertical plywood siding, aluminum siding b. exposed concrete block above foundation level c. corrugated metal, except for roof applications d. flush doors (hollow or solid core)

Vinyl siding will be permitted as long as each individual clapboard is no wider than five inches.

3.6 (I) (6): Vinyl siding will be permitted as long as each individual clapboard is no wider than five inches. & 3.6 (F) (1) (e):

e. Materials. New construction should use materials in a manner sympathetic to the historic buildings in the Town of Cape Charles. Materials should be of similar or complementary color, size, texture, scale, craftsmanship, and applicability to function performed. It should be noted that the sympathetic use of materials does not imply that materials used in new construction will replicate the old in detail nor that new construction will attempt to imitate historic structures. Rather, it is a matter of determining the compatibility of the new with the old. Certain materials are potentially so visually intrusive that their use for new construction in the Town will not be permitted. These materials include:

- aluminum or vinyl siding*
- asphalt siding*
- carpeted porch floors and steps*
- corrugated metal, except for roof applications*
- exposed concrete block above foundation level*
- exposed concrete masonry*
- faux brick and stone (brick face)*
- flush exterior doors*
- inappropriate window treatments*
- jalousie windows • picture windows*
- windows with horizontal glazing*
- metal or wood awnings*
- open mesh-type fencing*
- ornamental pierced concrete masonry screens and walls*
- painted concrete masonry*
- unpainted wood*
- vertical plywood siding*

- vertical wood siding on primary structures
- wrought iron and aluminum porch columns

C. Proposed Revisions/Additions: (attach additional pages as necessary):

Delete this bullet from Section 3.2: ~~Vinyl siding will be permitted as long as each individual clapboard is no wider than five inches~~ & Delete Section 3.6 (District Regulations – Commercial District C-1) (F – Development/Redevelopment Standards: (1.e)— Delete the following: aluminum ~~or vinyl siding~~

D. NARRATIVE explaining the reason for the zoning text amendment. Also state how this application is supported through the Comprehensive Plan, providing section and page number support. Include additional pages as needed to fully complete this Narrative and provide any supporting documentation as you deem relevant.

In the proposed revised guidelines, vinyl siding could be a possible material choice if it is deemed an alternative material through the review process outlined under Chapter 7.1 for Alternative Materials Consideration. The deletion of the reference to vinyl in the zoning ordinance removes the conflict between the zoning ordinance and the Historic District Guidelines.

COMPREHENSIVE PLAN

Pages 20-21

Section III – Future Land Use: Guiding Decisions for the Coming Decades

III-A.5.1 OVERALL POLICIES FOR CAPE CHARLES NEIGHBORHOODS

1. Preserved and enhance the integrity of the Historic District.
 - Strengthen the historic preservation ordinance to ensure maintenance and preservation of the existing historic building stock.

Signature of Applicant: Katie H. Nunez Date: 11/14/2022

Application fee: \$200 (mailing and advertising fees are billed separately)

Town of Cape Charles

ARTICLE III

District Regulations

Section 3.2 Single Family Residential District R-1

- A. Statement of intent. The intent of this basic zoning district is to provide quiet, medium density, single-family residential development plus provide open areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage a suitable environment for family life where there are children, and to restrict all activities of a commercial nature as described in Section 3.6-A of this ordinance, known as Commercial District C-1, which states “These commercial activities are characterized by heavy traffic, noise, and congestion of people and passenger vehicles and by large office buildings and retail establishments,” and to promote a convenient, attractive, and harmonious community. This section is created in recognition of the existence of developed areas where single-family and duplex dwelling currently exist on lots of 5,600 square feet and where the characteristics of the neighborhood include both permanent as well as seasonal residents.
- B. Permitted Uses. The following uses are permitted by right:
1. Single-family dwellings
 2. Churches and places of worship
 3. Parks and playgrounds
 4. Accessory buildings
 5. Schools and Municipal Community Center
 6. Group Homes per § 15.2-2291 of the Code of Virginia
 7. Home occupations in accordance with Section 4.0.
 8. Dog pens.
- C. Conditional Uses: The following uses may also be permitted, subject to securing a use permit as provided for in this ordinance:
1. Libraries, museums, and office and meeting spaces for civic organizations
 2. Public utilities and services provided that the exterior appearance of any building permitted in this district shall be in keeping with the character of the neighborhood in which it is located
 3. Bed and breakfasts and tourist homes, provided the following requirements are met:
 - a. The owner and family must occupy the residence. The owner and his/her appointed agent are responsible for supervising guests.
 - b. The single-family dwelling appearance must be maintained.
 - c. Parking should be considered on a case-by-case basis as part of the conditional use application, ensuring adherence to Section

4.5.1 (Table of Parking Standards) using both on and off-street parking areas.

- d. A sign no larger than four square feet shall be permitted.
 - e. The number of room accommodations shall be subject to recommendation by the Planning Commission and approved by the Town Council.
- 4. Neighborhood community center
 - 5. Swimming pools, tennis courts, and basketball courts.
 - 6. Adaptive Reuse of existing structure is a new use different than the intended use for which the structure was originally constructed. The Reuse is generally a permitted, accessory or conditional use with an adaptation such as density or size that is greater than the ordinance allows.

The Reuse would require a conditional use permit (CUP). The following additional requirements must also be met:

- a. The use must be compatible with the permitted uses in the zone.
 - b. The Reuse plan must meet the table of parking and landscaping standards (unlike reuse in the C-1 Zone where parking requirements are on a case by case basis).
 - c. Replacement and new utility services shall be placed underground.
 - d. The structure shall be a contributing structure to the Cape Charles National Historic District or at least 50 years old and the exterior of the structure must be restored in accordance with the Cape Charles Historic District Guidelines.
- 7. Residential dwelling units in square footage area below the minimum or above the maximum stated in Section 3.2.F.2.
- D. Subdivision of dwelling units is not permitted.
- E. Height Regulations. Buildings may be erected up to 2 ½ stories and to a height up to 40 feet from the adjacent ground elevation.
- F. Area Regulations
- 1. The minimum lot size shall be 5,600 square feet. Dwelling units existing on lots at the time of adoption of this ordinance which are generally on lots 40 feet by 140 feet are considered to be conforming lots. However, new construction taking place within this district shall meet all standards and requirements of this district.
 - 2. The minimum dwelling unit size shall be 960 square feet and the maximum dwelling unit size shall be 4,500 square feet on any lot or contiguous assemblage of lots under common ownership. Specific dwelling unit square footage relative to the square footage of any lot or contiguous assemblage of lots under common ownership shall be:

- a. Lots or contiguous assemblage of lots under common ownership up to 5,600 square feet dwelling units shall be a minimum of 960 and a maximum of 2,400 square feet.
- b. Lots or contiguous assemblage of lots under common ownership of 5,601 to 8,400 square feet dwelling units shall be a minimum of 960 and a maximum of 3,000 square feet.
- c. Lots or contiguous assemblage of lots under common ownership above 8,400 square feet dwelling units shall be a minimum of 960 and a maximum of 4,500 square feet.

Patios, porches, decks, attached garages, and detached accessory use buildings shall not be included in calculating the dwelling unit square footage.

3. The minimum lot width at the setback line shall be 40 feet.
4. Non-conforming lots smaller than 5,600 square feet in the R-1 District the total footprint area of all accessory building lot coverage shall not exceed 10%.

G. Setback Regulations

1. Conforming Lots

- a. Front yard. The setback line in a R-1 district shall be located 30 feet from all right-of-way lines. In built-up neighborhoods, the prevailing setback shall be the standard to which new housing must conform where possible.
- b. Side yard. Each main structure shall have a minimum side yard setback of 5 feet.
- c. Rear yard. Each main structure shall have a minimum rear yard setback of 25 feet.
- d. Corner Lots. Each main structure shall have a minimum side street setback of 5 feet. In built up neighborhoods, the prevailing setback shall be the standard to which new housing must conform where possible.

2. Non-Conforming Lots

- a. Front Yard. The setback line in the R-1 district shall be located 30 feet from the Avenue right-of-way lines or 5 feet from side street right-of-way lines. In built up neighborhoods, the prevailing setback shall be the standard to which new housing must conform where possible.
- b. Side Yard. Each main structure shall have a minimum side yard setback of 5 feet.
- c. Rear Yard. Each main structure shall have a minimum rear yard setback of 25 feet on lots over 40 feet deep. On lots 40 feet deep or less, the rear yard setback shall be a minimum of 5 feet.
- d. Corner Lots. Each main structure shall have a minimum side street setback of 5 feet. In built up neighborhoods, the prevailing setback shall be the standard to which new housing must conform where possible.

- H. Decks and patios may not be constructed in the front yard area. Decks and patios constructed in the back-yard area may be enclosed. Front porches may be enclosed by insect screening, preferably placed on the inside (house side) of architectural elements such as railings and columns. No permanent enclosures of front porches are allowed except for insect screening.

I. Development Standards

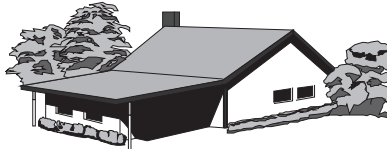
Statement of Intent. The development standards below are intended to help preserve the architectural cohesiveness of the Town of Cape Charles by stipulating that new construction and additions be compatible, sympathetic, and complementary to existing buildings. Development concepts are illustrated below to clarify the intent of the development standards.

1. Proportions. A building may be described by the height, footprint, volume, placement of door openings, window openings, porch columns, spacing, etc. The proportions of new construction should relate, 1:1, to the prevailing standards present in the neighborhood. Comparing new construction to the existing structures in a neighborhood is to see the 1:1 proportion of the building to another.

Proportions



YES



NO



YES

2. Scale and orientation. The elevation of the first floor on new construction must be the same or within six inches of the average of the prevailing standard of neighborhood buildings but must meet the required floodplain elevation. The principal facade of new construction must be oriented in the same direction as the rest of the buildings in the neighborhood.

Scale and Orientation



YES



NO



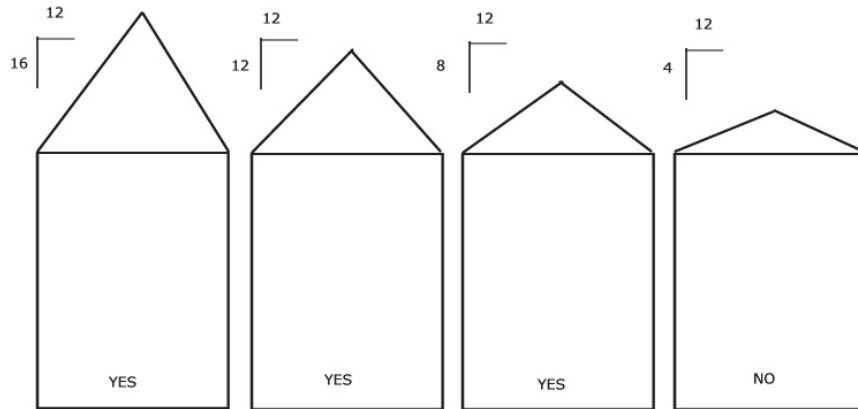
YES



YES

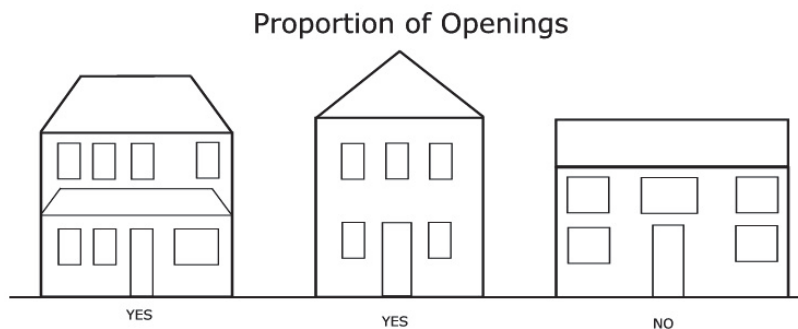
3. Roofs. Primary roof ridges of new construction must be parallel to the primary roof ridges of existing neighborhood buildings. New construction should reflect the prevailing roof pitch of neighborhood buildings within

20 percent. Where there is no prevailing standard, roof pitch should be no less than 8:12.



Roof Pitch Examples
(Drawing Not To Scale)

4. Windows and doors. The facade of new construction must draw upon the proportion of neighborhood structures. Windows must be double hung windows or of a size and style similar to existing windows in the neighborhood. The following window treatments are allowed: Jalousie windows, picture windows and horizontal windows, only in traditional American ranch style architecture. Exterior doors should be paneled or have glass panels. Flush doors are not allowed.



5. Porches. Porches must be constructed on the front of the house and must cover at least 80 percent of the building facade's width. Where there is no prevailing standard, porches may be reduced to be in keeping with the house style. Front porches must have a minimum depth of six feet. Porches on the side and rear of the house are also permitted. All porches must meet setback regulations.
6. **Materials.** New construction should use materials in a manner sympathetic to the character of the existing neighborhood houses. It is

encouraged that materials should be of similar or complementary size, texture, scale, craftsmanship, and applicability to function performed. It should be noted that the sympathetic use of materials does not imply that materials used in new construction will replicate the old in detail nor that new construction will attempt to imitate existing structures. Rather, it is a matter of determining the compatibility of new construction. Certain materials are potentially so visually intrusive that their use for new construction in the R-1 District will not be permitted. These materials include:

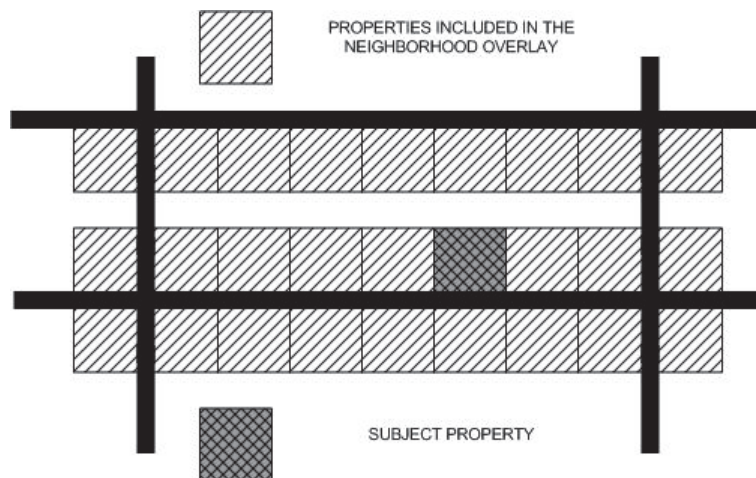
- a. asphalt siding, vertical plywood siding, aluminum siding
- b. exposed concrete block above foundation level
- c. corrugated metal, except for roof applications
- d. flush doors (hollow or solid core)

Vinyl siding will be permitted as long as each individual clapboard is no wider than five inches.

- 7. Utilities. Upon installation of utility access lines, such lines shall be installed underground. The Town encourages replacement lines to be installed underground.

For the purposes of this Section 3.2 only, certain terms shall have the meanings ascribed to them as follows:

NEIGHBORHOOD For the purpose of this ordinance, a neighborhood overlay is defined as parts of a six-square block area, including all parcels on the subject block and all parcels facing on three sides, with the property in question located in the center block.



PREVAILING STANDARDS Prevailing standards exist when 50 percent or more of the buildings exhibit similar attributes in a neighborhood overlay. Where less than 50 percent of the buildings exhibit similar attributes, any of the range of attributes in the neighborhood would be acceptable.

Section 3.6 Commercial District C-1

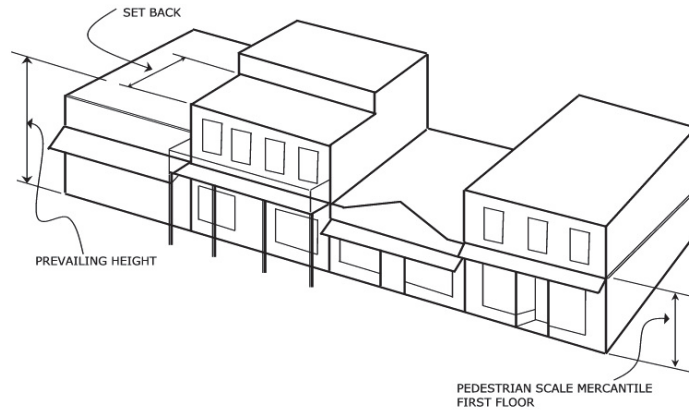
- A. Statement of Intent. The intent of this zoning district is to preserve and enhance the traditional mixed use urban nature of Cape Charles commercial districts, to encourage the location of regional and local business and professional activities, to facilitate the development of buildings in keeping with its largely National Historic District character, and to protect against destruction of or undesirable encroachment on these areas.
- B. Permitted Uses. The following uses are permitted by right:
1. Art or antique shops
 2. Auditoriums, theaters, and assembly halls
 3. Automobile repair and small engine repair
 4. Automobile service stations
 5. Bakeries, confectionaries, delicatessens, and catering services
 6. Barber shops and beauty parlors
 7. Bicycle and moped sales and rentals
 8. Blueprinting shops
 9. Boat sales
 10. Business and vocational schools
 11. Business studios, offices, and clinics
 12. Childcare and child care education centers
 13. Commercial schools of instruction
 14. Drug stores
 15. Dressmaking, tailoring, and millinery shops, dry cleaning shops
 16. Eating and drinking establishments
 17. Financial institutions
 18. Florists, gift shops, card shops, and stationery shops
 19. Funeral homes
 20. Furniture repair, sales and household appliance sales and repair, carpet and flooring sales
 21. Greenhouses and plant nurseries
 22. Grocery stores
 23. Hotels and motels
 24. Liquor stores
 25. Libraries, museums, or galleries
 26. Music stores
 27. Medical or dental or other laboratories
 28. Offices, office supply stores
 29. Public facilities, public buildings
 30. Restaurants
 31. Pet shops and pet supply stores
 32. Radio and television sales
 33. Upholstering shops and fabric stores
 34. Watch and jewelry stores
 35. Any use allowable in the S-C District.
 36. Any other commercial or professional use which is compatible in nature with the foregoing uses and which the Zoning Administrator determines

to be compatible with the intent of the district and is concurred with by the Planning Commission.

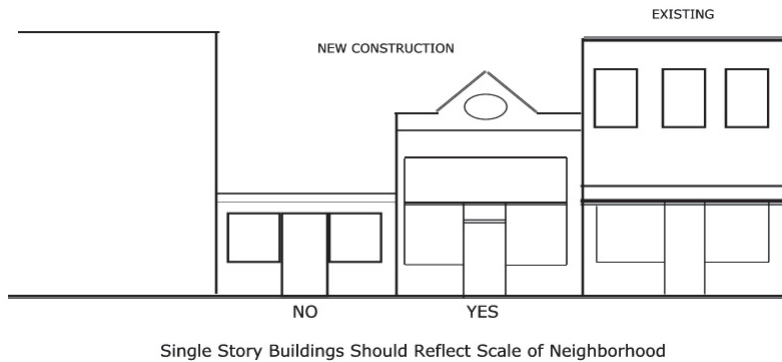
- C. Conditional Uses: Single family and multi-family dwellings provided that no such dwelling is located at street level and all dwelling units have direct access to the street level (not access through commercial establishment on the first level).
- D. Height Regulations: Buildings may be erected up to 40 feet in height from the adjacent ground elevations.
- E. Area Regulations: The following area regulations shall apply as minimums for new development in this district:
 - 1. Lot width at setback line 40
 - 2. Area requirements (40 x 140) 5,600
 - 3. Side yard 0; 5 and 10 feet in Route 184 area
 - 4. Rear yard 10 or prevailing rear yard if less
 - 5. Front setback shall be determined by the average setback of the existing built up commercial area. Front setback along Route 184 (aka Randolph Avenue extended; Old Stone Road) where existing VDOT right of way is 70 feet shall be measured at 80 feet from the center of the right of way.

F. **Development/Redevelopment Standards:**

- 1. Statement of Intent. The development standards below are intended to help preserve the architectural character of the Town of Cape Charles' commercial districts by requiring that all façade reconstruction/rehabilitation must conform to the building style as described in the U.S. Department of Interior National Register without the addition to or removal of contributing elements. New construction, additions, and alterations must be compatible, sympathetic, and complementary to the original or existing buildings in built-up areas. Development concepts are illustrated below to clarify the intent of the development standards.
 - a. Scale. When the scale of neighborhood buildings is relatively consistent, new construction should be discouraged from drastically altering these relationships. In the Town of Cape Charles, the two- and three-story structure is the norm, and structures which digress from this standard to any great degree seriously impact the character of the Town of Cape Charles. If construction is to be allowed, particular attention should be given to the location, siting, setbacks, and façade treatments of the proposed building. No matter what size of the new building, the base of the building should be scaled to pedestrians.

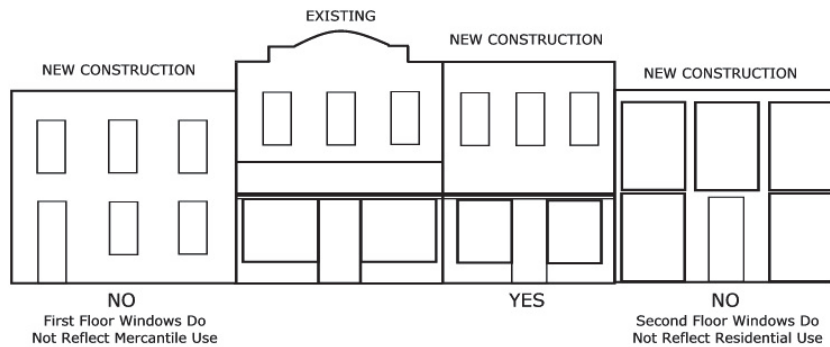


- b. Floor-to-Floor Heights. This important element of scale is often ignored in new construction, which tends toward lower ceiling heights. Floor-to-floor heights of new construction should be within 10 percent of neighborhood construction, where a relatively consistent floor-to-floor height is expressed in the facades of a given street.



- c. Windows and Cornice Lines. All first-floor facades shall have large glass areas which denote mercantile use. First-floor walls should be more than 50 percent glass. The first floor shall be distinguished from the upper floors by a cornice line if appropriate or other delineations such as transom windows, fabric awnings, or porches.

Windows above the first floor are to be more residential in scale and should be double hung, single or multiple, and vertical in proportion. Walls above the first floor should be more than 50 percent solid.



New construction of one-story buildings, such as some convenience stores and fast-food restaurants in commercial districts, intrude upon the character of the Town of Cape Charles and will only be permitted in infill situations and must meet all other development standards. There are many examples of convenience stores and fast-food chain restaurants being successfully integrated into a historic context.



Single Story Buildings Should Reflect Scale of Neighborhood

- d. Massing. The facades of new construction should reflect the sense of lightness or weight of neighboring buildings by using similar proportions of solids (siding or walls) to void (window and door openings) and projecting bays and overhangs.
- e. **Materials.** New construction should use materials in a manner sympathetic to the historic buildings in the Town of Cape Charles. Materials should be of similar or complementary color, size, texture, scale, craftsmanship, and applicability to function performed.

It should be noted that the sympathetic use of materials does not imply that materials used in new construction will replicate the old in detail nor that new construction will attempt to imitate historic structures. Rather, it is a matter of determining the compatibility of the new with the old. Certain materials are potentially so

visually intrusive that their use for new construction in the Town will not be permitted. These materials include:

- aluminum or vinyl siding
 - asphalt siding
 - carpeted porch floors and steps
 - corrugated metal, except for roof applications
 - exposed concrete block above foundation level
 - exposed concrete masonry
 - faux brick and stone (brick face)
 - flush exterior doors
 - inappropriate window treatments
 - jalousie windows
 - picture windows
 - windows with horizontal glazing
 - metal or wood awnings
 - open mesh-type fencing
 - ornamental pierced concrete masonry screens and walls
 - painted concrete masonry
 - unpainted wood
 - vertical plywood siding
 - vertical wood siding on primary structures
 - wrought iron and aluminum porch columns
- f. Siting. The siting of new construction in the commercial district shall conform to the building line of adjacent buildings. New commercial buildings should occupy the full width of their lot at the street line except in the Route 184 corridor. Freestanding “object” buildings that do not conform to the street and lot lines will not be permitted in the Mason Avenue from Harbor to Peach historic context. Where a commercial building is built adjacent to a vacant lot, it should be built with a party wall in anticipation of subsequent new construction being built adjacent and up to the property line. Probably the single most damaging siting of a commercial building is toward the rear of the lot with parking between the building and the street.
- g. Utilities. Upon installation or replacement of utility access lines, such lines shall be installed underground.
1. Demolition. The owner of a building or structure within the Town shall be entitled to raze or demolish such building or structure provided that he has applied to the Building Official for such right. An owner is entitled to raze or demolish his property pursuant to the procedure outlined in Article IV of the Town Zoning Ordinance.
3. Demolition-By-Neglect. No officially designated contributing building, structure, or site within the Town shall be allowed to deteriorate due to neglect by the owner which would result in violation of the intent of this ordinance. Demolition-by-neglect shall include any one or more of the following courses of action or inaction:

- a. Deterioration of the exterior of a building to the extent that it creates or permits a hazardous or unsafe condition.
- b. Deterioration of exterior walls or other vertical supports, horizontal members, roofs, chimneys, exterior wall elements such as siding, wooden walls, windows, brick, plaster or mortar to the extent that it adversely affects the character of the district or could lead to irreversible damage to the structure.
- c. Defective or deteriorated flooring or floor supports or flooring or floor supports of insufficient size to carry imposed loads with safety.
- d. Any fault in the building or structure which renders the same structurally unsafe or not properly watertight.

If the Building Official determines that a structure is being demolished by neglect, it shall send notification to the owners stating the reasons therefore and shall give the owner thirty days to respond with a plan of action and ninety days from the date of the notice in which to commence work. If appropriate action is not taken at this time, the Zoning Administrator may initiate appropriate legal action as provided further in this chapter.

4. Penalties for Noncompliance.

- a. Failure to correct a defect after a notice that the Building Official has determined that a property is being demolished by neglect according to Section 4.11 of this ordinance shall constitute a misdemeanor. Such misdemeanor shall be punished as set forth in §§ 18.2-9, 18.2-11 and §15.2-1429 of the Code of Virginia 1950 as amended. Each day that the violation continues is a separate offense.
- b. Any property owner in the District who does not obtain approval as required within this ordinance shall be guilty of a misdemeanor and may be punished as set forth in §§ 18.2-9, 18.2-11 and §15.2-1429 of the Code of Virginia 1950 as amended.
- c. Nothing in this chapter shall be deemed to restrict or prohibit the Town Council to acquire in any legal manner any historic area, site, building, or structure or the land pertaining thereto for the use, observation, education, pleasure, and welfare of the citizens of the Town.

G. Additional Requirements

1. Architectural Treatment. No building exterior (whether front, side, or rear) will consist of architectural materials inferior in quality, appearance, or detail to any other exterior of the same building. Nothing in this section shall preclude the use of different materials on different building exteriors (which would be acceptable if representative of good architectural design) but rather shall preclude the use of inferior materials

on sides which face adjoining property and thus might adversely impact existing or future development causing a substantial depreciation of property values. No portion of a building constructed of unadorned concrete or concrete block or corrugated and/or sheet metal shall be visible from any adjoining agricultural or residential district or public right-of-way. Mechanical equipment whether ground level or roof top shall be shielded and screened from public view and designed to be perceived as an integral part of the building.

2. Driveways and Parking Areas. Driveways and parking areas shall be paved with concrete, bituminous concrete, or other similar material. Surface penetration treated parking areas and drives shall be prohibited. Concrete curbs and gutters shall be installed around the perimeter of all driveways and parking areas. Other curbing material of similar quality like brick or cobblestone shall be permitted at the discretion of the director of planning. Drainage shall be designed to meet the requirements of the Virginia Department of Transportation.
 3. New in-fill structures or change of use projects on the first floor of structures in C-1 shall be exempt from complying with the exact requirements of Section 4.5.(A), Section 4.6, and Table 4.8. Owners are encouraged to provide off street parking for themselves, employees, and loading facilities where possible (i.e., alleys to backyard areas). Owners shall evaluate existing parking and access and submit proposed plan to Town for review. Projects will be evaluated on a case-by-case basis. New or change of use second- or third-floor projects shall be required to conform to the parking requirements as set forth herein.
 4. Outside Storage Areas. All outdoor storage areas shall be visually screened from public streets, internal roadways, and adjacent property. Screening shall consist of either a ventilated solid board fence, masonry wall, dense evergreen plant materials, or such other materials as may be approved. All such screening shall be of sufficient height to screen storage areas from view. Outdoor storage shall include the parking of all company owned and operated vehicles with the exception of passenger vehicles.
- H. Accessory Uses: Within the C-1 District the following accessory uses shall be permitted:
1. Only those uses which are customarily accessory and clearly incidental and subordinate to the principal use and structure;
 2. Temporary licensed uses such as festivals, outdoor displays, gatherings, performances, and open-air food markets;
 3. Porches, terraces, balconies, sun porches, decks, patios, etc. may not be enclosed without obtaining proper permits and variances from the Board of Zoning Appeals if required by the regulations of this ordinance.
22. Public utility service center, without outdoor storage

ORDINANCE 20221215C

**AMENDING CAPE CHARLES ZONING ORDINANCE SECTION 8.3 – INVENTORY
OF LANDMARKS AND CONTRIBUTING PROPERTIES ESTABLISHED)**

WHEREAS, the Cape Charles Zoning Ordinance is a compilation of ordinances establishing zoning regulations for the Town of Cape Charles and providing for the administration and enforcement of the regulations; and

WHEREAS, the Zoning Ordinance classifies the territory under the Town’s jurisdictions into districts and within each district a set of regulations for the use of land, buildings, structures, and their size, construction, etc.; and

WHEREAS, the proposed text amendments to § 8.3 – Inventory of Landmarks and Contributing Properties Established adds language referencing the Zoning Map Amendment public hearing, the actual map showing the full Historic District, the 2019 inventory conducted by the Town and the State and incorporates that information as part of the Guidelines; and

WHEREAS, pursuant to Code of Virginia §§ 15.2-2285 and 15.2-2204, after proper notice joint public hearings were held by the Planning Commission and Town Council, and the Planning Commission reviewed and deliberated the proposed revisions, and approved by majority vote, making recommendation for Town Council approval of the revisions made to § 8.3 (as attached); now

THEREFORE, BE IT ORDAINED by the Town Council of Cape Charles, this 15th day of December 2022, that Cape Charles Zoning Ordinance be revised as shown in the attached, as may be amended by Council, to become effective immediately.

Adopted by the Town Council of Cape Charles on December 15, 2022

By: _____
Mayor

ATTEST:

Town Clerk

Section 8.3 Inventory of Landmarks and Contributing Properties Established

The Town of Cape Charles has established as part of this ordinance a map covering the area included in the Historic District, based on the criteria set forth in this ordinance [and fully described within § 8.3 as described in Zoning Map Amendment 2022-02 and further contained in Chapter 1 of the newly revised Historic District Overlay Design Guidelines as adopted by the Town Council on \(Date to be inserted\) and](#) this map shall be as much a part of this ordinance ~~as if fully described herein~~. Pending further amendment of this ordinance, the period of significance for the Town will be from 1883 to 1964 as delineated in the Cape Charles Historic District National Register of Historic Places (amended 2019). [Said listing as prepared in 2019 of all contributing and non-contributing properties will be attached as an Exhibit to the newly revised Historic District Overlay Design Guidelines as](#) identified in the National Register, structures or sites designated as properties which contribute to the historic character of the Town shall be known as contributing properties for the purpose of this Ordinance. Structures or sites not designated as landmark or contributing properties shall be known as noncontributing properties. Should a building or structure within the boundaries of the historic district not be listed in the national register, the building or structure will be classified as noncontributing. The map may be amended from time to time in the same manner as the zoning district map.



APPLICATION FOR ZONING TEXT AMENDMENT

Planning & Zoning Department
757-3331-3259 x 24
planningtech@capecharles.org

✓ Revised 11/2022	
Taxes	
Violations	
Fee	
Decision	

Completed by P& Z Department Staff:

Date Application Received: 11-14-2022

Town Application # ZTA2022-03

Referred to (check one): ☒ Town Application

☐

Planning Commission

☐

Town Council

Date of Mtg: _____

DECISION OF BOARD: _____

Provide dates of future public hearings, if needed: _____

TO BE COMPLETED BY APPLICANT

Applicant Name: Town of Cape Charles

List All Landowners, if Property is owned by an LLC, LP or other form of corporation:

Property Address: Historic District Overlay – all properties within said overlay district

Phone: 757-331-2036

Email Address: knunez@capecharles.org

Mailing Address: 2 Plum Street, Cape Charles, VA 23310

Property Location: Whole Historic District Overlay

Tax Map #: All properties in the Historic District Overlay Map

Zoning District Impacted by Proposed Application: There are a mix of underlying zoning district within the Historic District Overlay, primarily Residential-1, Commercial-1 and Commercial-Residential.

Zoning Text Application may be submitted by a Cape Charles property owner but a Zoning Text Amendment may only be advanced to public hearing, after this application is advanced as a petition to either the Planning Commission or the Town Council meeting agenda, after staff consultation with the Town Manager. Once this matter is heard at a meeting of one of these respective entities, the application will be required to make a presentation to fully explain the request and demonstrate the need for said request and how the Comprehensive Plan supports and maintains compliance with the goals and objectives of the Comprehensive Plan. The application will need to receive an affirmative vote of the Cape Charles Town Council or Cape Charles Planning Commission to step in as the applicant and to set a calendar advancing the application to public hearing in compliance with the Code of Virginia Section 15.2-2285 and 15.2-2204

Either the Planning Commission or Town Council may prepare and submit an application for a zoning text amendment with either the Town Manager or the Zoning Administrator or Planning Director representing the application on behalf of the Town.

TO BE COMPLETED BY THE APPLICANT:

A. Zoning Ordinance Section Proposed to be Amended (Sec # & Title):

CCZO Section 8.3 (Historic Overlay District – Inventory of Landmarks and Contributing Properties Established)

B. Existing Zoning Text:

Section 8.3 Inventory of Landmarks and Contributing Properties Established

The Town of Cape Charles has established as part of this ordinance a map covering the area included in the Historic District, based on the criteria set forth in this ordinance. This map shall be as much a part of this ordinance as if fully described herein. Pending further amendment of this ordinance, the period of significance for the Town will be from 1883 to 1964 as delineated in the Cape Charles Historic District National Register of Historic Places (amended 2019). As identified in the National Register, structures or sites designated as properties which contribute to the historic character of the Town shall be known as contributing properties for the purpose of this Ordinance. Structures or sites not designated as landmark or contributing properties shall be known as noncontributing properties. Should a building or structure within the boundaries of the historic district not be listed in the national register, the building or structure will be classified as noncontributing. The map may be amended from time to time in the same manner as the zoning district map.

C. Proposed Revisions/Additions: (attach additional pages as necessary): Additions shown in bold font below:

The Town of Cape Charles has established as part of this ordinance a map covering the area included in the Historic District, based on the criteria set forth in this ordinance **and fully described under within Section 8.3 as described in ZMA 2022-02 and further contained in Chapter 1 of the Newly Revised Historic District Guidelines as adopted by the Town Council on (Date to be inserted) and** this map shall be as much a part of this ordinance ~~as if fully described herein~~. Pending further amendment of this ordinance, the period of significance for the Town will be from 1883 to 1964 as delineated in the Cape Charles Historic District National Register of Historic Places (amended 2019). **Said listing as prepared in 2019 of all contributing and non-contributing properties will be attached as an Exhibit to the newly revised Historic District Guidelines** as identified in the National Register, structures or sites designated as properties which contribute to the historic character of the Town shall be known as contributing properties for the purpose of this Ordinance. Structures or sites not designated as landmark or contributing properties shall be known as noncontributing properties. Should a building or structure within the boundaries of the historic district not be listed in the national register, the building or structure will be classified as noncontributing. The map may be amended from time to time in the same manner as the zoning district map.

- D. **NARRATIVE** *explaining the reason for the zoning text amendment. Also state how this application is supported through the Comprehensive Plan, providing section and page number support. Include additional pages as needed to fully complete this Narrative and provide any supporting documentation as you deem relevant.*

The proposed revised language references the Zoning Map Amendment public hearing and actual map showing the full Historic District and also references the 2019 inventory conducted by the Town and the State and incorporates that information as part of the Guidelines.

COMPREHENSIVE PLAN

Pages 20-21

Section III – Future Land Use: Guiding Decisions for the Coming Decades

III-A.5.1 OVERALL POLICIES FOR CAPE CHARLES NEIGHBORHOODS

1. Preserved and enhance the integrity of the Historic District.
 - Strengthen the historic preservation ordinance to ensure maintenance and preservation of the existing historic building stock.

Signature of Applicant: Katie H. Nunez Date: 11/14/2022

Application fee: \$200 (mailing and advertising fees are billed separately)

Town of Cape Charles

Article VIII

Historic District Overlay

“The Cape Charles Historic District encompasses nearly all of the town of Cape Charles as it was originally laid out in 1883-1884 as well as the Sea Cottage addition, an area west of the original limits of the town, that was developed after 1909...The town was originally laid out in an unusual twenty-seven block grid pattern dominated by a central park with four landscaped streets that radiate from the park and serve as a main cross axis for the town's circulation pattern. No other such plan is known to exist in Virginia.”

- 1989 National Register of Historic Places Registration Form Section 7, page 1.

“An interesting stock of architectural styles in both the residential area and the downtown commercial area contribute an historic style and authenticity. The street patterns, lot configurations and boundaries, which were laid out in an historic grid pattern, have remained largely unaltered, adding to the Town's historical integrity. Cape Charles' late nineteenth and early twentieth century character is a key element in the Town's interest and attractiveness to tourists. The traditional downtown commercial area on Mason Avenue still serves as the commercial center for the Town. It is important that the Town's historic character be protected, not only for its intrinsic value, but also to contribute to attract and expand tourism in Cape Charles.” – Town of Cape Charles 1999 Comprehensive Plan, page 40.

The Town of Cape Charles participates in the Certified Local Government program and in so doing demonstrates a commitment to keep what is significant from the past for the benefit of future generations. The architectural integrity of existing structures shall be recognized, and future development shall be compatible.

Section 8.1 Purpose of the District

The purpose of this district is to guard against destruction or encroachment upon historic areas, buildings, monuments, or other features, or buildings and structures of registered architectural significance which contribute or will contribute to the cultural, social, economic, political, artistic, or architectural heritage of the Town of Cape Charles and the Commonwealth of Virginia. It is also the purpose of the district to preserve the character of the designated historic areas and historic landmarks and other historic or architectural features and to ensure that buildings, structures, streets, walkways, or signs shall be erected, reconstructed, altered, or restored so as to be kept architecturally compatible with the character of the historic district.

Section 8.2 Criteria for Establishing Historic Districts--General Character

The boundaries of the Historic District shall in general be drawn to include areas containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation. The district may include either individual buildings or places of such character, and a reasonable distance beyond, or it may include areas or groupings of structures which have significance relative to their patterns of development or social and economic or architectural interrelationships even though some structures in the area might not possess significant merit when considered alone.

Section 8.3 Inventory of Landmarks and Contributing Properties Established

The Town of Cape Charles has established as part of this ordinance a map covering the

area included in the Historic District, based on the criteria set forth in this ordinance. This map shall be as much a part of this ordinance as if fully described herein. Pending further amendment of this ordinance, the period of significance for the Town will be from 1883 to 1964 as delineated in the Cape Charles Historic District National Register of Historic Places (amended 2019). As identified in the National Register, structures or sites designated as properties which contribute to the historic character of the Town shall be known as contributing properties for the purpose of this Ordinance. Structures or sites not designated as landmark or contributing properties shall be known as noncontributing properties. Should a building or structure within the boundaries of the historic district not be listed in the national register, the building or structure will be classified as noncontributing. The map may be amended from time to time in the same manner as the zoning district map.

Section 8.4. Application of the District; Relation to Other Zoning Districts

To enable the district to operate in harmony with the plan for land use and population density embodied in these regulations, the Historic District is created as a special district to be superimposed on other districts contained in these regulations and is to be so designated by a special symbol for its boundaries on the Zoning District Map. The uses, housing types, minimum lot requirements, minimum yard requirements, maximum height, and accessory uses and accessory signs shall be determined by the regulations applicable to the other districts over which the Historic District is superimposed except as these other district regulations may be modified by application of the regulations in the Historic District.

Section 8.5 Permitted Uses

A building or land shall be used only for any use or accessory use permitted in the zoning district in which the premises are situated and upon which the Historic District is superimposed.

Section 8.6 Historic District Review Board; Creation

For the general purposes of this Article as herein stated and specifically to preserve and protect historic places and areas in the Town through the control of demolition of such places and through the regulation of architectural design and uses of structures in such areas, there is created a board known as the Historic District Review Board.

Section 8.7 Historic District Review Board; Membership

The members of the Historic District Review Board shall be appointed by the Town Council. The Membership shall consist of five citizens, at least three of whom shall be residents of the local historic district.

Section 8.8 Historic District Review Board; Terms

Upon approval by the Town Council, members shall be appointed for a term of five years. Appointments to fill vacancies shall be only for the unexpired term. Members may be reappointed to succeed themselves. A member whose term expires shall continue to serve until a successor is appointed and qualifies.

Section 8.9 Historic District Review Board; Qualifications

Members of the Historic District Review Board shall have demonstrated interest and knowledge in the historical and architectural development of the Town and when possible, include a Planning Commission member, as well as professionals in the disciplines of architecture, history, historic preservation, archaeology, or related profession; and professionals in the disciplines of planning, building construction, or real estate.

Section 8.10 Historic District Review Board; Organization

ORDINANCE 20221215D

**AMENDING CAPE CHARLES ZONING ORDINANCE SECTION 8.4 – APPLICATION
OF THE DISTRICT; RELATION TO OTHER ZONING DISTRICTS**

WHEREAS, the Cape Charles Zoning Ordinance is a compilation of ordinances establishing zoning regulations for the Town of Cape Charles and providing for the administration and enforcement of the regulations; and

WHEREAS, the Zoning Ordinance classifies the territory under the Town’s jurisdictions into districts and within each district a set of regulations for the use of land, buildings, structures, and their size, construction, etc.; and

WHEREAS, the proposed text amendments to § 8.4 – Application of the District; Relation to Other Zoning Districts adds statutory language that dictates the order of standing if there is a conflict between the Overlay zoning ordinance and the Historic District Overlay Design Guidelines; and

WHEREAS, pursuant to Code of Virginia §§ 15.2-2285 and 15.2-2204, after proper notice joint public hearings were held by the Planning Commission and Town Council, and the Planning Commission reviewed and deliberated the proposed revisions, and approved by majority vote, making recommendation for Town Council approval of the revisions made to § 8.4 (as attached); now

THEREFORE, BE IT ORDAINED by the Town Council of Cape Charles, this 15th day of December 2022, that Cape Charles Zoning Ordinance be revised as shown in the attached, as may be amended by Council, to become effective immediately.

Adopted by the Town Council of Cape Charles on December 15, 2022

By: _____
Mayor

ATTEST:

Town Clerk

Section 8.4. Application of the District; Relation to Other Zoning Districts

To enable the district to operate in harmony with the plan for land use and population density embodied in these regulations, the Historic District is created as a special district to be superimposed on other districts contained in these regulations and is to be so designated by a special symbol for its boundaries on the Zoning District Map. The uses, housing types, minimum lot requirements, minimum yard requirements, maximum height, and accessory uses and accessory signs shall be determined by the regulations applicable to the other districts over which the Historic District is superimposed except as these other district regulations may be modified by application of the regulations in the Historic District. [Where the overlay district and its Design Guidelines present stricter standard, the stricter standard prevails pursuant to Code of Virginia Section 15.2-2306.](#)



APPLICATION FOR ZONING TEXT AMENDMENT

Planning & Zoning Department
757-3331-3259 x 24
planningtech@capecharles.org

✓ Revised 11/2022	
Taxes	
Violations	
Fee	
Decision	

Completed by P& Z Department Staff:

Date Application Received: 11-14-2022

Town Application # ZTA2022-04

Referred to (check one): ☒ Town Application

☐

Planning Commission

☐

Town Council

Date of Mtg: _____

DECISION OF BOARD: _____

Provide dates of future public hearings, if needed: _____

TO BE COMPLETED BY APPLICANT

Applicant Name: Town of Cape Charles

List All Landowners, if Property is owned by an LLC, LP or other form of corporation:

Property Address: Historic District Overlay – all properties within said overlay district

Phone: 757-331-2036

Email Address: knunez@capecharles.org

Mailing Address: 2 Plum Street, Cape Charles, VA 23310

Property Location: Whole Historic District Overlay

Tax Map #: All properties in the Historic District Overlay Map

Zoning District Impacted by Proposed Application: There are a mix of underlying zoning district within the Historic District Overlay, primarily Residential-1, Commercial-1 and Commercial-Residential.

Zoning Text Application may be submitted by a Cape Charles property owner but a Zoning Text Amendment may only be advanced to public hearing, after this application is advanced as a petition to either the Planning Commission or the Town Council meeting agenda, after staff consultation with the Town Manager. Once this matter is heard at a meeting of one of these respective entities, the application will be required to make a presentation to fully explain the request and demonstrate the need for said request and how the Comprehensive Plan supports and maintains compliance with the goals and objectives of the Comprehensive Plan. The application will need to receive an affirmative vote of the Cape Charles Town Council or Cape Charles Planning Commission to step in as the applicant and to set a calendar advancing the application to public hearing in compliance with the Code of Virginia Section 15.2-2285 and 15.2-2204

Either the Planning Commission or Town Council may prepare and submit an application for a zoning text amendment with either the Town Manager or the Zoning Administrator or Planning Director representing the application on behalf of the Town.

TO BE COMPLETED BY THE APPLICANT:

A. Zoning Ordinance Section Proposed to be Amended (Sec # & Title):

CCZO Section 8.4 (Historic Overlay District –Application of the District; Relation to Other Zoning Districts)

B. Existing Zoning Text:

Section 8.4. Application of the District; Relation to Other Zoning Districts

To enable the district to operate in harmony with the plan for land use and population density embodied in these regulations, the Historic District is created as a special district to be superimposed on other districts contained in these regulations and is to be so designated by a special symbol for its boundaries on the Zoning District Map. The uses, housing types, minimum lot requirements, minimum yard requirements, maximum height, and accessory uses and accessory signs shall be determined by the regulations applicable to the other districts over which the Historic District is superimposed except as these other district regulations may be modified by application of the regulations in the Historic District.

C. Proposed Revisions/Additions: (attach additional pages as necessary): Additions shown in bold font below:

To add to the end of the paragraph the following: **Where the overlay district and its Design Guidelines present stricter standard, the stricter standard prevails pursuant to Code of Virginia Section 15.2-2306.**

D. NARRATIVE explaining the reason for the zoning text amendment. Also state how this application is supported through the Comprehensive Plan, providing section and page number support. Include additional pages as needed to fully complete this Narrative and provide any supporting documentation as you deem relevant.

The proposed revised language includes the statutory language that dictates the order of standing, if there is a conflict between the Overlay zoning ordinance and the Historic District Guidelines.

COMPREHENSIVE PLAN

Pages 20-21

Section III – Future Land Use: Guiding Decisions for the Coming Decades

III-A.5.1 OVERALL POLICIES FOR CAPE CHARLES NEIGHBORHOODS

1. Preserved and enhance the integrity of the Historic District.
 - Strengthen the historic preservation ordinance to ensure maintenance and preservation of the existing historic building stock.

Signature of Applicant: Katie H. Nunez Date: 11/14/2022

Application fee: \$200 (mailing and advertising fees are billed separately)

Town of Cape Charles

Article VIII

Historic District Overlay

“The Cape Charles Historic District encompasses nearly all of the town of Cape Charles as it was originally laid out in 1883-1884 as well as the Sea Cottage addition, an area west of the original limits of the town, that was developed after 1909...The town was originally laid out in an unusual twenty-seven block grid pattern dominated by a central park with four landscaped streets that radiate from the park and serve as a main cross axis for the town's circulation pattern. No other such plan is known to exist in Virginia.”

- 1989 National Register of Historic Places Registration Form Section 7, page 1.

“An interesting stock of architectural styles in both the residential area and the downtown commercial area contribute an historic style and authenticity. The street patterns, lot configurations and boundaries, which were laid out in an historic grid pattern, have remained largely unaltered, adding to the Town's historical integrity. Cape Charles' late nineteenth and early twentieth century character is a key element in the Town's interest and attractiveness to tourists. The traditional downtown commercial area on Mason Avenue still serves as the commercial center for the Town. It is important that the Town's historic character be protected, not only for its intrinsic value, but also to contribute to attract and expand tourism in Cape Charles.” – Town of Cape Charles 1999 Comprehensive Plan, page 40.

The Town of Cape Charles participates in the Certified Local Government program and in so doing demonstrates a commitment to keep what is significant from the past for the benefit of future generations. The architectural integrity of existing structures shall be recognized, and future development shall be compatible.

Section 8.1 Purpose of the District

The purpose of this district is to guard against destruction or encroachment upon historic areas, buildings, monuments, or other features, or buildings and structures of registered architectural significance which contribute or will contribute to the cultural, social, economic, political, artistic, or architectural heritage of the Town of Cape Charles and the Commonwealth of Virginia. It is also the purpose of the district to preserve the character of the designated historic areas and historic landmarks and other historic or architectural features and to ensure that buildings, structures, streets, walkways, or signs shall be erected, reconstructed, altered, or restored so as to be kept architecturally compatible with the character of the historic district.

Section 8.2 Criteria for Establishing Historic Districts--General Character

The boundaries of the Historic District shall in general be drawn to include areas containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation. The district may include either individual buildings or places of such character, and a reasonable distance beyond, or it may include areas or groupings of structures which have significance relative to their patterns of development or social and economic or architectural interrelationships even though some structures in the area might not possess significant merit when considered alone.

Section 8.3 Inventory of Landmarks and Contributing Properties Established

The Town of Cape Charles has established as part of this ordinance a map covering the

area included in the Historic District, based on the criteria set forth in this ordinance. This map shall be as much a part of this ordinance as if fully described herein. Pending further amendment of this ordinance, the period of significance for the Town will be from 1883 to 1964 as delineated in the Cape Charles Historic District National Register of Historic Places (amended 2019). As identified in the National Register, structures or sites designated as properties which contribute to the historic character of the Town shall be known as contributing properties for the purpose of this Ordinance. Structures or sites not designated as landmark or contributing properties shall be known as noncontributing properties. Should a building or structure within the boundaries of the historic district not be listed in the national register, the building or structure will be classified as noncontributing. The map may be amended from time to time in the same manner as the zoning district map.

Section 8.4. Application of the District; Relation to Other Zoning Districts

To enable the district to operate in harmony with the plan for land use and population density embodied in these regulations, the Historic District is created as a special district to be superimposed on other districts contained in these regulations and is to be so designated by a special symbol for its boundaries on the Zoning District Map. The uses, housing types, minimum lot requirements, minimum yard requirements, maximum height, and accessory uses and accessory signs shall be determined by the regulations applicable to the other districts over which the Historic District is superimposed except as these other district regulations may be modified by application of the regulations in the Historic District.

Section 8.5 Permitted Uses

A building or land shall be used only for any use or accessory use permitted in the zoning district in which the premises are situated and upon which the Historic District is superimposed.

Section 8.6 Historic District Review Board; Creation

For the general purposes of this Article as herein stated and specifically to preserve and protect historic places and areas in the Town through the control of demolition of such places and through the regulation of architectural design and uses of structures in such areas, there is created a board known as the Historic District Review Board.

Section 8.7 Historic District Review Board; Membership

The members of the Historic District Review Board shall be appointed by the Town Council. The Membership shall consist of five citizens, at least three of whom shall be residents of the local historic district.

Section 8.8 Historic District Review Board; Terms

Upon approval by the Town Council, members shall be appointed for a term of five years. Appointments to fill vacancies shall be only for the unexpired term. Members may be reappointed to succeed themselves. A member whose term expires shall continue to serve until a successor is appointed and qualifies.

Section 8.9 Historic District Review Board; Qualifications

Members of the Historic District Review Board shall have demonstrated interest and knowledge in the historical and architectural development of the Town and when possible, include a Planning Commission member, as well as professionals in the disciplines of architecture, history, historic preservation, archaeology, or related profession; and professionals in the disciplines of planning, building construction, or real estate.

Section 8.10 Historic District Review Board; Organization

ORDINANCE 20221215E

**AMENDING CAPE CHARLES ZONING ORDINANCE SECTION 8.8 – HISTORIC
DISTRICT REVIEW BOARD; TERMS**

WHEREAS, the Cape Charles Zoning Ordinance is a compilation of ordinances establishing zoning regulations for the Town of Cape Charles and providing for the administration and enforcement of the regulations; and

WHEREAS, the Zoning Ordinance classifies the territory under the Town’s jurisdictions into districts and within each district a set of regulations for the use of land, buildings, structures, and their size, construction, etc.; and

WHEREAS, the proposed text amendments to § 8.8 – Historic District Review Board; Terms revises language providing the appointing authority flexibility relative to their appointments; and

WHEREAS, pursuant to Code of Virginia §§ 15.2-2285 and 15.2-2204, after proper notice joint public hearings were held by the Planning Commission and Town Council, and the Planning Commission reviewed and deliberated the proposed revisions, and approved by majority vote, making recommendation for Town Council approval of the revisions made to § 8.8, (as attached); now

THEREFORE, BE IT ORDAINED by the Town Council of Cape Charles, this 15th day of December 2022, that Cape Charles Zoning Ordinance be revised as shown in the attached, as may be amended by Council, to become effective immediately.

Adopted by the Town Council of Cape Charles on December 15, 2022

By: _____
Mayor

ATTEST:

Town Clerk

Section 8.8 Historic District Review Board; Terms

Upon approval by the Town Council, members shall be appointed for a term of five years. Appointments to fill vacancies shall be only for the unexpired term. Members may be reappointed to succeed themselves. A member whose term expires shall continue to serve until a successor is appointed and qualifies. [Said appointments are at the will of Town Council.](#)



APPLICATION FOR ZONING TEXT AMENDMENT

Planning & Zoning Department
757-3331-3259 x 24
planningtech@capecharles.org

✓ Revised 11/2022	
Taxes	
Violations	
Fee	
Decision	

Completed by P& Z Department Staff:

Date Application Received: 11-14-2022

Town Application # ZTA2022-05

Referred to (check one): ☒ Town Application

☐ Planning Commission ☐ Town Council
Date of Mtg: _____

DECISION OF BOARD: _____

Provide dates of future public hearings, if needed: _____

TO BE COMPLETED BY APPLICANT

Applicant Name: Town of Cape Charles

List All Landowners, if Property is owned by an LLC, LP or other form of corporation:

Property Address: Historic District Overlay – all properties within said overlay district

Phone: 757-331-2036

Email Address: knunez@capecharles.org

Mailing Address: 2 Plum Street, Cape Charles, VA 23310

Property Location: Whole Historic District Overlay

Tax Map #: All properties in the Historic District Overlay Map

Zoning District Impacted by Proposed Application: There are a mix of underlying zoning district within the Historic District Overlay, primarily Residential-1, Commercial-1 and Commercial-Residential.

Zoning Text Application may be submitted by a Cape Charles property owner but a Zoning Text Amendment may only be advanced to public hearing, after this application is advanced as a petition to either the Planning Commission or the Town Council meeting agenda, after staff consultation with the Town Manager. Once this matter is heard at a meeting of one of these respective entities, the application will be required to make a presentation to fully explain the request and demonstrate the need for said request and how the Comprehensive Plan supports and maintains compliance with the goals and objectives of the Comprehensive Plan. The application will need to receive an affirmative vote of the Cape Charles Town Council or Cape Charles Planning Commission to step in as the applicant and to set a calendar advancing the application to public hearing in compliance with the Code of Virginia Section 15.2-2285 and 15.2-2204

Either the Planning Commission or Town Council may prepare and submit an application for a zoning text amendment with either the Town Manager or the Zoning Administrator or Planning Director representing the application on behalf of the Town.

TO BE COMPLETED BY THE APPLICANT:

A. Zoning Ordinance Section Proposed to be Amended (Sec # & Title):

CCZO Section 8.8 (Historic Overlay District –Historic Board: Terms)

B. Existing Zoning Text:

Section 8.8 Historic District Review Board; Terms

Upon approval by the Town Council, members shall be appointed for a term of five years. Appointments to fill vacancies shall be only for the unexpired term. Members may be reappointed to succeed themselves. A member whose term expires shall continue to serve until a successor is appointed and qualifies.

C. Proposed Revisions/Additions: (attach additional pages as necessary): Additions shown in bold font below:

To add to the end of the paragraph the clause in bold font:

The members of the Historic District Review Board shall be appointed by the Town Council. The Membership shall consist of five citizens, at least three of whom shall be residents of the local historic district; **said appointments are at the will of Town Council.**

D. NARRATIVE explaining the reason for the zoning text amendment. Also state how this application is supported through the Comprehensive Plan, providing section and page number support. Include additional pages as needed to fully complete this Narrative and provide any supporting documentation as you deem relevant.

The proposed revised language provides the appointing authority flexibility relative to their appointments.

COMPREHENSIVE PLAN

Pages 20-21

Section III – Future Land Use: Guiding Decisions for the Coming Decades

III-A.5.1 OVERALL POLICIES FOR CAPE CHARLES NEIGHBORHOODS

1. Preserved and enhance the integrity of the Historic District.

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Signature of Applicant: Katie H. Nunez Date: 11/14/2022

Application fee: \$200 (mailing and advertising fees are billed separately)

Town of Cape Charles

Article VIII

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“The Cape Charles Historic District encompasses nearly all of the town of Cape Charles as it was originally laid out in 1883-1884 as well as the Sea Cottage addition, an area west of the original limits of the town, that was developed after 1909...The town was originally laid out in an unusual twenty-seven block grid pattern dominated by a central park with four landscaped streets that radiate from the park and serve as a main cross axis for the town's circulation pattern. No other such plan is known to exist in Virginia.”

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“An interesting stock of architectural styles in both the residential area and the downtown commercial area contribute an historic style and authenticity. The street patterns, lot configurations and boundaries, which were laid out in an historic grid pattern, have remained largely unaltered, adding to the Town's historical integrity. Cape Charles' late nineteenth and early twentieth century character is a key element in the Town's interest and attractiveness to tourists. The traditional downtown commercial area on Mason Avenue still serves as the commercial center for the Town. It is important that the Town's historic character be protected, not only for its intrinsic value, but also to contribute to attract and expand tourism in Cape Charles.” – Town of Cape Charles 1999 Comprehensive Plan, page 40.

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The Town of Cape Charles has established as part of this ordinance a map covering the

area included in the Historic District, based on the criteria set forth in this ordinance. This map shall be as much a part of this ordinance as if fully described herein. Pending further amendment of this ordinance, the period of significance for the Town will be from 1883 to 1964 as delineated in the Cape Charles Historic District National Register of Historic Places (amended 2019). As identified in the National Register, structures or sites designated as properties which contribute to the historic character of the Town shall be known as contributing properties for the purpose of this Ordinance. Structures or sites not designated as landmark or contributing properties shall be known as noncontributing properties. Should a building or structure within the boundaries of the historic district not be listed in the national register, the building or structure will be classified as noncontributing. The map may be amended from time to time in the same manner as the zoning district map.

Section 8.4. Application of the District; Relation to Other Zoning Districts

To enable the district to operate in harmony with the plan for land use and population density embodied in these regulations, the Historic District is created as a special district to be superimposed on other districts contained in these regulations and is to be so designated by a special symbol for its boundaries on the Zoning District Map. The uses, housing types, minimum lot requirements, minimum yard requirements, maximum height, and accessory uses and accessory signs shall be determined by the regulations applicable to the other districts over which the Historic District is superimposed except as these other district regulations may be modified by application of the regulations in the Historic District.

Section 8.5 Permitted Uses

A building or land shall be used only for any use or accessory use permitted in the zoning district in which the premises are situated and upon which the Historic District is superimposed.

Section 8.6 Historic District Review Board; Creation

For the general purposes of this Article as herein stated and specifically to preserve and protect historic places and areas in the Town through the control of demolition of such places and through the regulation of architectural design and uses of structures in such areas, there is created a board known as the Historic District Review Board.

Section 8.7 Historic District Review Board; Membership

The members of the Historic District Review Board shall be appointed by the Town Council. The Membership shall consist of five citizens, at least three of whom shall be residents of the local historic district.

Section 8.8 Historic District Review Board; Terms

Upon approval by the Town Council, members shall be appointed for a term of five years. Appointments to fill vacancies shall be only for the unexpired term. Members may be reappointed to succeed themselves. A member whose term expires shall continue to serve until a successor is appointed and qualifies.

Section 8.9 Historic District Review Board; Qualifications

Members of the Historic District Review Board shall have demonstrated interest and knowledge in the historical and architectural development of the Town and when possible, include a Planning Commission member, as well as professionals in the disciplines of architecture, history, historic preservation, archaeology, or related profession; and professionals in the disciplines of planning, building construction, or real estate.

Section 8.10 Historic District Review Board; Organization

ORDINANCE 20221215F

AMENDING CAPE CHARLES ZONING ORDINANCE SECTION 8.14 (E) – HISTORIC DISTRICT REVIEW BOARD; POWERS AND DUTIES

WHEREAS, the Cape Charles Zoning Ordinance is a compilation of ordinances establishing zoning regulations for the Town of Cape Charles and providing for the administration and enforcement of the regulations; and

WHEREAS, the Zoning Ordinance classifies the territory under the Town’s jurisdictions into districts and within each district a set of regulations for the use of land, buildings, structures, and their size, construction, etc.; and

WHEREAS, the proposed text amendments to § 8.14.E – Historic District Review Board; Powers and Duties updates the revision date for the newly revised Historic District Guidelines; and

WHEREAS, pursuant to Code of Virginia §§ 15.2-2285 and 15.2-2204, after proper notice joint public hearings were held by the Planning Commission and Town Council, and the Planning Commission reviewed and deliberated the proposed revisions, and approved by majority vote, making recommendation for Town Council approval of the revisions made to § 8.14.E, (as attached); now

THEREFORE, BE IT ORDAINED by the Town Council of Cape Charles, this 15th day of December 2022, that Cape Charles Zoning Ordinance be revised as shown in the attached, as may be amended by Council, to become effective immediately.

Adopted by the Town Council of Cape Charles on December 15, 2022

By: _____
Mayor

ATTEST:

Town Clerk

Section 8.14 Historic District Review Board; Powers and Duties

- A. To recommend standards and guidelines for adoption by the Town Council to supplement the standards set forth in this Ordinance; the currently adopted guidelines are called “Cape Charles Historic District Guidelines revised ~~October 2017~~ (Month and Year of Council adoption).”



APPLICATION FOR ZONING TEXT AMENDMENT

Planning & Zoning Department
757-3331-3259 x 24
planningtech@capecharles.org

✓ Revised 11/2022	
Taxes	
Violations	
Fee	
Decision	

Completed by P& Z Department Staff:

Date Application Received: 11-14-2022

Town Application # ZTA2022-06

Referred to (check one): ☒ Town Application

☐ Planning Commission ☐ Town Council
Date of Mtg: _____

DECISION OF BOARD: _____

Provide dates of future public hearings, if needed: _____

TO BE COMPLETED BY APPLICANT

Applicant Name: Town of Cape Charles

List All Landowners, if Property is owned by an LLC, LP or other form of corporation:

Property Address: Historic District Overlay – all properties within said overlay district

Phone: 757-331-2036

Email Address: knunez@capecharles.org

Mailing Address: 2 Plum Street, Cape Charles, VA 23310

Property Location: Whole Historic District Overlay

Tax Map #: All properties in the Historic District Overlay Map

Zoning District Impacted by Proposed Application: There are a mix of underlying zoning district within the Historic District Overlay, primarily Residential-1, Commercial-1 and Commercial-Residential.

Zoning Text Application may be submitted by a Cape Charles property owner but a Zoning Text Amendment may only be advanced to public hearing, after this application is advanced as a petition to either the Planning Commission or the Town Council meeting agenda, after staff consultation with the Town Manager. Once this matter is heard at a meeting of one of these respective entities, the application will be required to make a presentation to fully explain the request and demonstrate the need for said request and how the Comprehensive Plan supports and maintains compliance with the goals and objectives of the Comprehensive Plan. The application will need to receive an affirmative vote of the Cape Charles Town Council or Cape Charles Planning Commission to step in as the applicant and to set a calendar advancing the application to public hearing in compliance with the Code of Virginia Section 15.2-2285 and 15.2-2204

Either the Planning Commission or Town Council may prepare and submit an application for a zoning text amendment with either the Town Manager or the Zoning Administrator or Planning Director representing the application on behalf of the Town.

TO BE COMPLETED BY THE APPLICANT:

A. Zoning Ordinance Section Proposed to be Amended (Sec # & Title):

CCZO Section 8.14 (E) (Historic Overlay District –Historic District Review Board: Powers and Duties)

B. Existing Zoning Text:

Section 8.14 Historic District Review Board; Powers and Duties

The Historic District Review Board shall have the power and authority for issuing or denying Certificates of Appropriateness for construction, reconstruction, substantial exterior alteration, razing, or relocation within the historic district. In addition, the Board shall have the following duties:

- A. To assist and advise the Town Council, the Planning Commission, and other Town departments, agencies, and property owners in matters involving historically significant sites and buildings or other properties in the historic districts such as, but not limited to, appropriate land usage, parking facilities, and signs.*
- B. To continuously evaluate conditions and advise owners of historic landmarks or contributing structures or other properties in historic districts on problems of preservation.*
- C. To oversee studies deemed necessary by the Town Council or Planning Commission concerning location of historic districts and means of preservation, utilization, improvement, and maintenance of historic assets in the Town.*
- D. To propose additional historic districts or additions or deletions to districts.*
- E. To recommend standards and guidelines for adoption by the Town Council to supplement the standards set forth in this Ordinance; the currently adopted guidelines are called "Cape Charles Historic District Guidelines revised October 2017."*
- F. To formulate recommendations to the Town Council concerning the establishment of an appropriate system of markers for selected historic sites and buildings, including proposals for the installation and care of such historic markers.*
- G. To cooperate with and enlist assistance from the Virginia Department of Historic Resources, the National Trust for Historic Preservation, and other interested parties both public and private in its efforts to preserve the character of historic landmarks, buildings, sites, or areas within the Town.*

C. Proposed Revisions/Additions: (attach additional pages as necessary): Additions shown in bold font below:

To insert the month and year of the newly revised Historic District Guidelines, once adopted by Town Council.

- D. **NARRATIVE** *explaining the reason for the zoning text amendment. Also state how this application is supported through the Comprehensive Plan, providing section and page number support. Include additional pages as needed to fully complete this Narrative and provide any supporting documentation as you deem relevant.*

The proposed revision updates the date of the Historic District Guidelines in the Zoning Ordinance once adopted by Town Council.

COMPREHENSIVE PLAN

Pages 20-21

Section III – Future Land Use: Guiding Decisions for the Coming Decades

III-A.5.1 OVERALL POLICIES FOR CAPE CHARLES NEIGHBORHOODS

1. Preserved and enhance the integrity of the Historic District.
 - Strengthen the historic preservation ordinance to ensure maintenance and preservation of the existing historic building stock.

Signature of Applicant: Katie H. Nunez Date: 11/14/2022

Application fee: \$200 (mailing and advertising fees are billed separately)

The Historic District Review Board shall elect from its own membership a chairman and vice chairman who shall serve annual terms and may succeed themselves. The chairman shall preside over all meetings in addition to having the duties and responsibilities of other members of the Board. The vice chairman shall preside over meetings of the Board in the absence of the chairman.

Section 8.11 Historic District Review Board; Rules

The Board shall meet in regular session on the third Tuesday of every month when an application has been filed requiring consideration. Special meetings of the Board may be called by the chairman or a majority of the members after public notice as required.

Section 8.12 Historic District Review Board; Meetings; Hearings

Written notice of a special meeting is not required if the time of special meeting has been fixed at a regular meeting or if all members are present at a special meeting or file a written waiver of notice. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all voting members of the Board. The Board may make, alter, or rescind rules and forms for its procedures, consistent with the ordinances of the Town and the general laws of the Commonwealth of Virginia.

Section 8.13 Historic District Review Board; Procedures

The Board shall, with the concurrence of the town manager, establish procedures for all matters coming before it for review and all meetings shall be open to the public. The Board will have the right to appeal decisions of the town manager to the Town Council.

Section 8.14 Historic District Review Board; Powers and Duties

The Historic District Review Board shall have the power and authority for issuing or denying Certificates of Appropriateness for construction, reconstruction, substantial exterior alteration, razing, or relocation within the historic district. In addition, the Board shall have the following duties:

- A. To assist and advise the Town Council, the Planning Commission, and other Town departments, agencies, and property owners in matters involving historically significant sites and buildings or other properties in the historic districts such as, but not limited to, appropriate land usage, parking facilities, and signs.
- B. To continuously evaluate conditions and advise owners of historic landmarks or contributing structures or other properties in historic districts on problems of preservation.
- C. To oversee studies deemed necessary by the Town Council or Planning Commission concerning location of historic districts and means of preservation, utilization, improvement, and maintenance of historic assets in the Town.
- D. To propose additional historic districts or additions or deletions to districts.
- E. To recommend standards and guidelines for adoption by the Town Council to supplement the standards set forth in this Ordinance; the currently adopted guidelines are called "Cape Charles Historic District Guidelines revised October 2017."
- F. To formulate recommendations to the Town Council concerning the establishment of an appropriate system of markers for selected historic sites and buildings, including proposals for the installation and care of such historic markers.

- G. To cooperate with and enlist assistance from the Virginia Department of Historic Resources, the National Trust for Historic Preservation, and other interested parties both public and private in its efforts to preserve the character of historic landmarks, buildings, sites, or areas within the Town.

ORDINANCE 20221215G

**AMENDING CAPE CHARLES ZONING ORDINANCE SECTION 8.20 – DESIGN
GUIDELINES; RECOMMENDATIONS FOR REVIEW**

WHEREAS, the Cape Charles Zoning Ordinance is a compilation of ordinances establishing zoning regulations for the Town of Cape Charles and providing for the administration and enforcement of the regulations; and

WHEREAS, the Zoning Ordinance classifies the territory under the Town’s jurisdictions into districts and within each district a set of regulations for the use of land, buildings, structures, and their size, construction, etc.; and

WHEREAS, the proposed text amendments to § 8.20 – Design Guidelines; Recommendations for Review deleting subsections D and E since the revised Historic District Design Guidelines now contained guidance for both infill and non-contributing structures; and

WHEREAS, pursuant to Code of Virginia §§ 15.2-2285 and 15.2-2204, after proper notice joint public hearings were held by the Planning Commission and Town Council, and the Planning Commission reviewed and deliberated the proposed revisions, and approved by majority vote, making recommendation for Town Council approval of the revisions made to § 8.14.E, (as attached); now

THEREFORE, BE IT ORDAINED by the Town Council of Cape Charles, this 15th day of December 2022, that Cape Charles Zoning Ordinance be revised as shown in the attached, as may be amended by Council, to become effective immediately.

Adopted by the Town Council of Cape Charles on December 15, 2022

By: _____

Mayor

ATTEST:

Town Clerk

Section 8.20 Design Guidelines; Recommendations for Review

- ~~D. Separate guidelines shall be developed for all new infill buildings in Cape Charles' historic district. New infill construction will not diminish, detract, or distract from the character of surrounding historic buildings or the overall historic district.~~
- ~~E. Alterations and additions to non-contributing structures that affect the exterior appearance of the structure or additions should be compatible with the district following the guidelines for new (infill) construction. Criteria for non-contributing structures may be less restrictive than that applied to contributing structures.~~



APPLICATION FOR ZONING TEXT AMENDMENT

Planning & Zoning Department
757-3331-3259 x 24
planningtech@capecharles.org

✓ Revised 11/2022	
Taxes	
Violations	
Fee	
Decision	

Completed by P& Z Department Staff:

Date Application Received: 11-14-2022

Town Application # ZTA2022-07

Referred to (check one): ☒ Town Application

☐ Planning Commission ☐ Town Council
Date of Mtg: _____

DECISION OF BOARD: _____

Provide dates of future public hearings, if needed: _____

TO BE COMPLETED BY APPLICANT

Applicant Name: Town of Cape Charles

List All Landowners, if Property is owned by an LLC, LP or other form of corporation:

Property Address: Historic District Overlay – all properties within said overlay district

Phone: 757-331-2036

Email Address: knunez@capecharles.org

Mailing Address: 2 Plum Street, Cape Charles, VA 23310

Property Location: Whole Historic District Overlay

Tax Map #: All properties in the Historic District Overlay Map

Zoning District Impacted by Proposed Application: There are a mix of underlying zoning district within the Historic District Overlay, primarily Residential-1, Commercial-1 and Commercial-Residential.

Zoning Text Application may be submitted by a Cape Charles property owner but a Zoning Text Amendment may only be advanced to public hearing, after this application is advanced as a petition to either the Planning Commission or the Town Council meeting agenda, after staff consultation with the Town Manager. Once this matter is heard at a meeting of one of these respective entities, the application will be required to make a presentation to fully explain the request and demonstrate the need for said request and how the Comprehensive Plan supports and maintains compliance with the goals and objectives of the Comprehensive Plan. The application will need to receive an affirmative vote of the Cape Charles Town Council or Cape Charles Planning Commission to step in as the applicant and to set a calendar advancing the application to public hearing in compliance with the Code of Virginia Section 15.2-2285 and 15.2-2204

Either the Planning Commission or Town Council may prepare and submit an application for a zoning text amendment with either the Town Manager or the Zoning Administrator or Planning Director representing the application on behalf of the Town.

TO BE COMPLETED BY THE APPLICANT:

A. Zoning Ordinance Section Proposed to be Amended (Sec # & Title):

CCZO Section 8.20 D & E (Historic Overlay District –Design Guidelines)

B. Existing Zoning Text:

Section 8.20 Design Guidelines; Recommendations for Review

- A. *The Historic District Review Board shall be guided in its decisions by the design guidelines but must also use independent judgement and discretion to consider the unique characteristics of each request. The board is expected to work with each applicant to assist them in achieving their goal while preserving the character of the district. The board shall utilize the pre-application review process as defined in Section 8.25.A.*
- B. *It shall be the duty of the Historic District Review Board to prepare recommended amendments to the design guidelines.*
- C. *The Town Council shall adopt and amend the design guidelines after conducting at least one public hearing pursuant to §15.2-2204 of the Code of Virginia.*
- D. *Separate guidelines shall be developed for all new infill buildings in Cape Charles' historic district. New infill construction will not diminish, detract, or distract from the character of surrounding historic buildings or the overall historic district.*
- E. *Alterations and additions to non-contributing structures that affect the exterior appearance of the structure or additions should be compatible with the district following the guidelines for new (infill) construction. Criteria for non-contributing structures may be less restrictive than that applied to contributing structures.*

C. Proposed Revisions/Additions: (attach additional pages as necessary): Additions shown in bold font below:

Delete Sections D & E from Section 8.20

D. NARRATIVE explaining the reason for the zoning text amendment. Also state how this application is supported through the Comprehensive Plan, providing section and page number support. Include additional pages as needed to fully complete this Narrative and provide any supporting documentation as you deem relevant.

The revised Historic District Guidelines now contain both Infill Guidance and Non-Contributing Structure Guidance.

COMPREHENSIVE PLAN

Pages 20-21

Section III – Future Land Use: Guiding Decisions for the Coming Decades

III-A.5.1 OVERALL POLICIES FOR CAPE CHARLES NEIGHBORHOODS

1. Preserved and enhance the integrity of the Historic District.
 - Strengthen the historic preservation ordinance to ensure maintenance and preservation of the existing historic building stock.

Signature of Applicant: Katie H. Nunez Date: 11/14/2022

Application fee: \$200 (mailing and advertising fees are billed separately)

- A. Administrator unless altered by the overlay ordinance.
- B. Receiving historic preservation tax credits through state or federal offices.
- C. Demolition of non-contributing buildings or structures.
- D. Alterations or repairs made to a building or structure for the purpose of temporary emergency stabilization.

Section 8.18 Delegation of Authority

- A. The Zoning Administrator or Code Official shall have authority to order that work be stopped and that an appropriate application be filed for review by the Historic District Review Board in any case where the action has an adverse effect on the Historic District.
- B. The Historic District Review Board shall periodically review the design guidelines contained in this section.

Section 8.19. Certificate of Appropriateness

Evidence of the approval required under the terms of the Historic District shall be a certificate of appropriateness issued on behalf of the Historic District Review Board, stating that the demolition, moving, or changes in the exterior architectural appearance of the proposed construction, reconstruction, alteration, or restoration for which application has been made are approved by the Historic District Review Board or the Zoning Administrator. The Historic District Review Board may permit modifications of original proposals if such modifications are formally acknowledged, clearly described, and recorded in the records of the case. A certificate of appropriateness shall be in addition to any other permits required. Any action by applicants following issuance of a permit-requiring certificate of appropriateness shall be in accord with the application and material approved and any conditions appended thereto.

Section 8.20 Design Guidelines; Recommendations for Review

- A. The Historic District Review Board shall be guided in its decisions by the design guidelines but must also use independent judgement and discretion to consider the unique characteristics of each request. The board is expected to work with each applicant to assist them in achieving their goal while preserving the character of the district. The board shall utilize the pre-application review process as defined in Section 8.25.A.
- B. It shall be the duty of the Historic District Review Board to prepare recommended amendments to the design guidelines.
- C. The Town Council shall adopt and amend the design guidelines after conducting at least one public hearing pursuant to §15.2-2204 of the Code of Virginia.
- D. Separate guidelines shall be developed for all new infill buildings in Cape Charles' historic district. New infill construction will not diminish, detract, or distract from the character of surrounding historic buildings or the overall historic district.
- E. Alterations and additions to non-contributing structures that affect the exterior appearance of the structure or additions should be compatible with the district following the guidelines for new (infill) construction. Criteria for non-contributing structures may be less restrictive than that applied to contributing structures.

ORDINANCE 20221215H

AMENDING CAPE CHARLES ZONING ORDINANCE SECTION 8.20 (A) – DESIGN GUIDELINES; RECOMMENDATIONS FOR REVIEW

WHEREAS, the Cape Charles Zoning Ordinance is a compilation of ordinances establishing zoning regulations for the Town of Cape Charles and providing for the administration and enforcement of the regulations; and

WHEREAS, the Zoning Ordinance classifies the territory under the Town’s jurisdictions into districts and within each district a set of regulations for the use of land, buildings, structures, and their size, construction, etc.; and

WHEREAS, the proposed text amendments to § 8.20.A – Design Guidelines; Recommendations for Review revising the language removing the requirement of a pre-application review process and making it optional for the board and staff; and

WHEREAS, pursuant to Code of Virginia §§ 15.2-2285 and 15.2-2204, after proper notice joint public hearings were held by the Planning Commission and Town Council, and the Planning Commission reviewed and deliberated the proposed revisions, and approved by majority vote, making recommendation for Town Council approval of the revisions made to § 8.20.A, (as attached); now

THEREFORE, BE IT ORDAINED by the Town Council of Cape Charles, this 15th day of December 2022, that Cape Charles Zoning Ordinance be revised as shown in the attached, as may be amended by Council, to become effective immediately.

Adopted by the Town Council of Cape Charles on December 15, 2022

By: _____

Mayor

ATTEST:

Town Clerk

Section 8.20 Design Guidelines; Recommendations for Review

- A. The Historic District Review Board shall be guided in its decisions by the design guidelines but must also use independent judgement and discretion to consider the unique characteristics of each request. The board is expected to work with each applicant to assist them in achieving their goal while preserving the character of the district. The board and staff may ~~shall~~ utilize the pre-application review process as defined in Section 8.25.A.



APPLICATION FOR ZONING TEXT AMENDMENT

Planning & Zoning Department
757-3331-3259 x 24
planningtech@capecharles.org

✓ Revised 11/2022	
Taxes	
Violations	
Fee	
Decision	

Completed by P& Z Department Staff:

Date Application Received: 11-14-2022

Town Application # ZTA2022-08

Referred to (check one): ☒ Town Application

☐ Planning Commission ☐ Town Council
Date of Mtg: _____

DECISION OF BOARD: _____

Provide dates of future public hearings, if needed: _____

TO BE COMPLETED BY APPLICANT

Applicant Name: Town of Cape Charles

List All Landowners, if Property is owned by an LLC, LP or other form of corporation:

Property Address: Historic District Overlay – all properties within said overlay district

Phone: 757-331-2036

Email Address: knunez@capecharles.org

Mailing Address: 2 Plum Street, Cape Charles, VA 23310

Property Location: Whole Historic District Overlay

Tax Map #: All properties in the Historic District Overlay Map

Zoning District Impacted by Proposed Application: There are a mix of underlying zoning district within the Historic District Overlay, primarily Residential-1, Commercial-1 and Commercial-Residential.

Zoning Text Application may be submitted by a Cape Charles property owner but a Zoning Text Amendment may only be advanced to public hearing, after this application is advanced as a petition to either the Planning Commission or the Town Council meeting agenda, after staff consultation with the Town Manager. Once this matter is heard at a meeting of one of these respective entities, the application will be required to make a presentation to fully explain the request and demonstrate the need for said request and how the Comprehensive Plan supports and maintains compliance with the goals and objectives of the Comprehensive Plan. The application will need to receive an affirmative vote of the Cape Charles Town Council or Cape Charles Planning Commission to step in as the applicant and to set a calendar advancing the application to public hearing in compliance with the Code of Virginia Section 15.2-2285 and 15.2-2204

Either the Planning Commission or Town Council may prepare and submit an application for a zoning text amendment with either the Town Manager or the Zoning Administrator or Planning Director representing the application on behalf of the Town.

TO BE COMPLETED BY THE APPLICANT:

A. Zoning Ordinance Section Proposed to be Amended (Sec # & Title):

CCZO Section 8.20 A (Historic Overlay District –Design Guidelines)

B. Existing Zoning Text:

Section 8.20 Design Guidelines; Recommendations for Review

A. The Historic District Review Board shall be guided in its decisions by the design guidelines but must also use independent judgement and discretion to consider the unique characteristics of each request. The board is expected to work with each applicant to assist them in achieving their goal while preserving the character of the district. The board shall utilize the pre-application review process as defined in Section 8.25.A.

C. Proposed Revisions/Additions: (attach additional pages as necessary): Additions shown in bold font below:

The Historic District Review Board shall be guided in its decisions by the design guidelines but must also use independent judgement and discretion to consider the unique characteristics of each request. The board is expected to work with each applicant to assist them in achieving their goal while preserving the character of the district. The board **and staff shall** ~~may~~ utilize the pre-application review process as defined in Section 8.25.A.

D. NARRATIVE explaining the reason for the zoning text amendment. Also state how this application is supported through the Comprehensive Plan, providing section and page number support. Include additional pages as needed to fully complete this Narrative and provide any supporting documentation as you deem relevant.

Amend the ordinance to remove the requirement of a pre-application review process and make it optional.

COMPREHENSIVE PLAN

Pages 20-21

Section III – Future Land Use: Guiding Decisions for the Coming Decades

III-A.5.1 OVERALL POLICIES FOR CAPE CHARLES NEIGHBORHOODS

1. Preserved and enhance the integrity of the Historic District.

- Strengthen the historic preservation ordinance to ensure maintenance and preservation of the existing historic building stock.

Signature of Applicant: Katie H. Nunez Date: 11/14/2022

Application fee: \$200 (mailing and advertising fees are billed separately)

- A. Administrator unless altered by the overlay ordinance.
- B. Receiving historic preservation tax credits through state or federal offices.
- C. Demolition of non-contributing buildings or structures.
- D. Alterations or repairs made to a building or structure for the purpose of temporary emergency stabilization.

Section 8.18 Delegation of Authority

- A. The Zoning Administrator or Code Official shall have authority to order that work be stopped and that an appropriate application be filed for review by the Historic District Review Board in any case where the action has an adverse effect on the Historic District.
- B. The Historic District Review Board shall periodically review the design guidelines contained in this section.

Section 8.19. Certificate of Appropriateness

Evidence of the approval required under the terms of the Historic District shall be a certificate of appropriateness issued on behalf of the Historic District Review Board, stating that the demolition, moving, or changes in the exterior architectural appearance of the proposed construction, reconstruction, alteration, or restoration for which application has been made are approved by the Historic District Review Board or the Zoning Administrator. The Historic District Review Board may permit modifications of original proposals if such modifications are formally acknowledged, clearly described, and recorded in the records of the case. A certificate of appropriateness shall be in addition to any other permits required. Any action by applicants following issuance of a permit-requiring certificate of appropriateness shall be in accord with the application and material approved and any conditions appended thereto.

Section 8.20 Design Guidelines; Recommendations for Review

- A. The Historic District Review Board shall be guided in its decisions by the design guidelines but must also use independent judgement and discretion to consider the unique characteristics of each request. The board is expected to work with each applicant to assist them in achieving their goal while preserving the character of the district. The board shall utilize the pre-application review process as defined in Section 8.25.A.
- B. It shall be the duty of the Historic District Review Board to prepare recommended amendments to the design guidelines.
- C. The Town Council shall adopt and amend the design guidelines after conducting at least one public hearing pursuant to §15.2-2204 of the Code of Virginia.
- D. Separate guidelines shall be developed for all new infill buildings in Cape Charles' historic district. New infill construction will not diminish, detract, or distract from the character of surrounding historic buildings or the overall historic district.
- E. Alterations and additions to non-contributing structures that affect the exterior appearance of the structure or additions should be compatible with the district following the guidelines for new (infill) construction. Criteria for non-contributing structures may be less restrictive than that applied to contributing structures.

ORDINANCE 20221215I

**AMENDING CAPE CHARLES ZONING ORDINANCE
SECTION 8.25 (A) – RECEIPT OF APPLICATION**

WHEREAS, the Cape Charles Zoning Ordinance is a compilation of ordinances establishing zoning regulations for the Town of Cape Charles and providing for the administration and enforcement of the regulations; and

WHEREAS, the Zoning Ordinance classifies the territory under the Town’s jurisdictions into districts and within each district a set of regulations for the use of land, buildings, structures, and their size, construction, etc.; and

WHEREAS, the proposed text amendments to § 8.25.A – Receipt of Application revising the language removing the requirement of a pre-application review process and making it optional; and

WHEREAS, pursuant to Code of Virginia §§ 15.2-2285 and 15.2-2204, after proper notice joint public hearings were held by the Planning Commission and Town Council, and the Planning Commission reviewed and deliberated the proposed revisions, and approved by majority vote, making recommendation for Town Council approval of the revisions made to § 8.25.A, (as attached); now

THEREFORE, BE IT ORDAINED by the Town Council of Cape Charles, this 15th day of December 2022, that Cape Charles Zoning Ordinance be revised as shown in the attached, as may be amended by Council, to become effective immediately.

Adopted by the Town Council of Cape Charles on December 15, 2022

By: _____
Mayor

ATTEST:

Town Clerk

Section 8.25 Receipt of Application

Upon receipt of an application by the Zoning Administrator for each permit in the historic district, the Zoning Administrator shall oversee the following:

- A. Pre-application review: Persons considering action that requires a certificate of appropriateness, as set forth in this ordinance, are to ~~request an informal informational meeting with the Zoning Administrator and at least one member of the Historic District Review Board~~ review the fully proposed application and scope of work with Planning & Zoning staff prior to submitting a ~~formal~~ completed application for a certificate of appropriateness. ~~Requests for such informational meetings can be made to the zoning administrator, who will contact a member of the board. The informational meeting will occur within thirty (30) days of receipt of such a request.~~ The purpose of ~~an informational meeting~~ said review with staff is to review the design guidelines and standards and the procedures for obtaining a certificate of appropriateness. Neither the applicant nor the zoning administrator/~~board~~ staff member(s) shall be bound by any informational meeting or conceptual review. ~~Zoning administrator can use discretion on the need for a pre-application meeting or the inclusion of a board representative depending on the nature of project proposed;~~

Clean version:

- A. Pre-application review: Persons considering action that requires a certificate of appropriateness, as set forth in this ordinance, are to review the fully proposed application and scope of work with Planning & Zoning staff prior to submitting a completed application for a certificate of appropriateness. The purpose of said review with staff is to review the design guidelines and standards and the procedures for obtaining a certificate of appropriateness. Neither the applicant nor the zoning administrator/staff member shall be bound by any informational meeting or conceptual review.



APPLICATION FOR ZONING TEXT AMENDMENT

Planning & Zoning Department
757-3331-3259 x 24
planningtech@capecharles.org

✓ Revised 11/2022	
Taxes	
Violations	
Fee	
Decision	

Completed by P& Z Department Staff:

Date Application Received: 11-14-2022

Town Application # ZTA2022-09

Referred to (check one): ☒ Town Application

☐

Planning Commission

☐

Town Council

Date of Mtg: _____

DECISION OF BOARD: _____

Provide dates of future public hearings, if needed: _____

TO BE COMPLETED BY APPLICANT

Applicant Name: Town of Cape Charles

List All Landowners, if Property is owned by an LLC, LP or other form of corporation:

Property Address: Historic District Overlay – all properties within said overlay district

Phone: 757-331-2036

Email Address: knunez@capecharles.org

Mailing Address: 2 Plum Street, Cape Charles, VA 23310

Property Location: Whole Historic District Overlay

Tax Map #: All properties in the Historic District Overlay Map

Zoning District Impacted by Proposed Application: There are a mix of underlying zoning district within the Historic District Overlay, primarily Residential-1, Commercial-1 and Commercial-Residential.

Zoning Text Application may be submitted by a Cape Charles property owner but a Zoning Text Amendment may only be advanced to public hearing, after this application is advanced as a petition to either the Planning Commission or the Town Council meeting agenda, after staff consultation with the Town Manager. Once this matter is heard at a meeting of one of these respective entities, the application will be required to make a presentation to fully explain the request and demonstrate the need for said request and how the Comprehensive Plan supports and maintains compliance with the goals and objectives of the Comprehensive Plan. The application will need to receive an affirmative vote of the Cape Charles Town Council or Cape Charles Planning Commission to step in as the applicant and to set a calendar advancing the application to public hearing in compliance with the Code of Virginia Section 15.2-2285 and 15.2-2204

Either the Planning Commission or Town Council may prepare and submit an application for a zoning text amendment with either the Town Manager or the Zoning Administrator or Planning Director representing the application on behalf of the Town.

TO BE COMPLETED BY THE APPLICANT:

A. Zoning Ordinance Section Proposed to be Amended (Sec # & Title):

CCZO Section 8.25 (A) (Historic Overlay District –Receipt of Application)

B. Existing Zoning Text:

Section 8.25 Receipt of Application

Upon receipt of an application by the Zoning Administrator for each permit in the historic district, the Zoning Administrator shall oversee the following:

- A. Pre-application review: Persons considering action that requires a certificate of appropriateness, as set forth in this ordinance, are to request an informal informational meeting with the Zoning Administrator and at least one member of the Historic District Review Board prior to submitting a formal application for a certificate of appropriateness. Requests for such informational meetings can be made to the zoning administrator, who will contact a member of the board. The informational meeting will occur within thirty (30) days of receipt of such a request. The purpose of an informational meeting is to review the design guidelines and standards and the procedures for obtaining a certificate of appropriateness. Neither the applicant nor the zoning administrator/board member(s) shall be bound by any informational meeting or conceptual review. Zoning administrator can use discretion on the need for a pre-application meeting or the inclusion of a board representative depending on the nature of project proposed;*

C. Proposed Revisions/Additions: (attach additional pages as necessary): Additions shown in bold font below and deletions shown as strikethroughs:

Pre-application review: Persons considering action that requires a certificate of appropriateness, as set forth in this ordinance, are ~~to request and/or to review~~ **the fully proposed application and scope of work with Planning & Zoning staff** ~~an informal informational meeting with the Zoning Administrator and at least one member of the Historic District Review Board~~ prior to submitting a **completed** application for a certificate of appropriateness. ~~Requests for such informational meetings can be made to the zoning administrator, who will contact a member of the board. The informational meeting will occur within thirty (30) days of receipt of such a request. The purpose of said review with staff of an informational meeting is to review the design guidelines and standards and the procedures for obtaining a certificate of appropriateness. Neither the applicant nor the zoning administrator/or staff member board member(s) shall be bound by any informational meeting or conceptual review. Zoning administrator can use discretion on the need for a pre-application meeting or the inclusion of a board representative depending on the nature of project proposed;~~

- D. **NARRATIVE** *explaining the reason for the zoning text amendment. Also state how this application is supported through the Comprehensive Plan, providing section and page number support. Include additional pages as needed to fully complete this Narrative and provide any supporting documentation as you deem relevant.*

Amend the ordinance to remove the requirement of a pre-application review process and make it optional.

COMPREHENSIVE PLAN

Pages 20-21

Section III – Future Land Use: Guiding Decisions for the Coming Decades

III-A.5.1 OVERALL POLICIES FOR CAPE CHARLES NEIGHBORHOODS

1. Preserved and enhance the integrity of the Historic District.
 - Strengthen the historic preservation ordinance to ensure maintenance and preservation of the existing historic building stock.

Signature of Applicant: Katie H. Nunez Date: 11/14/2022

Application fee: \$200 (mailing and advertising fees are billed separately)

review.

Section 8.24 Administration; Zoning Administrator

Except as authorized herein the Zoning Administrator or Code Official shall not authorize a permit for any erection, reconstruction, integral exterior facade change, demolition, or razing of a building or structure in the Historic District until the same has been approved by the Historic District Review Board as set forth in the following procedures.

Section 8.25 Receipt of Application

Upon receipt of an application by the Zoning Administrator for each permit in the historic district, the Zoning Administrator shall oversee the following:

- A. Pre-application review: Persons considering action that requires a certificate of appropriateness, as set forth in this ordinance, are to request an informal informational meeting with the Zoning Administrator and at least one member of the Historic District Review Board prior to submitting a formal application for a certificate of appropriateness. Requests for such informational meetings can be made to the zoning administrator, who will contact a member of the board. The informational meeting will occur within thirty (30) days of receipt of such a request. The purpose of an informational meeting is to review the design guidelines and standards and the procedures for obtaining a certificate of appropriateness. Neither the applicant nor the zoning administrator/board member(s) shall be bound by any informational meeting or conceptual review. Zoning administrator can use discretion on the need for a pre-application meeting or the inclusion of a board representative depending on the nature of project proposed;
- B. Once accepted by the zoning administrator as a fully completed application, the zoning administrator will forward to the Historic District Review Board a copy of the application, together with a copy of the site plan and the building plans and specifications filed by the applicant if such application requires the Historic District Review Board to meet and render a decision;
- C. Compile a record of all such applications and of the final disposition of the same, to be maintained by the Town Clerk;
- D. Require applicants to submit one (1) hard copy and one electronic version of material required to permit compliance with the foregoing.

Section 8.26 Material to be Submitted for Review

By general rule, or by specific request in a particular case, the Historic District Review Board may require submission of any or all of the following in connection with the application: architectural plans, site plans, landscaping plans, construction methods, proposed exterior lighting arrangements, elevations of all portions of structures with important relationships to public view and such other exhibits and reports as are necessary for its determinations. Requests for approval of activities proposed in historic districts shall be accepted only from the record owner of the land involved in such proposal, or their agent.

Section 8.27 Other Approvals Required

The Zoning Administrator will review submitted applications for Certificates of Appropriateness against appropriate zoning requirements before forwarding application to the Historic District Review Board for pre-application review and approval. In any case in which an applicant's proposal also requires the approval of the Board of Zoning Appeals, final action by the Board of Zoning Appeals shall precede final action by the Historic District Review Board. The Board of Zoning Appeals may, however, table a proposal in order to

ORDINANCE 20221215J

**AMENDING CAPE CHARLES ZONING ORDINANCE
SECTION 8.29 – EXPIRATIONS OF CERTIFICATES OF APPROPRIATENESS**

WHEREAS, the Cape Charles Zoning Ordinance is a compilation of ordinances establishing zoning regulations for the Town of Cape Charles and providing for the administration and enforcement of the regulations; and

WHEREAS, the Zoning Ordinance classifies the territory under the Town’s jurisdictions into districts and within each district a set of regulations for the use of land, buildings, structures, and their size, construction, etc.; and

WHEREAS, during the review and discussion regarding the Historic District Design Guidelines update, a general consensus was reached that a period of twelve (12) months to commence the work, which may include the application for a building permit, was too lengthy; and

WHEREAS, a Certificate of Appropriateness is valid until the work is completed in a timely fashion; and

WHEREAS, the proposed text amendments to § 8.29 – Expirations of Certificates of Appropriateness revising the language reducing the period of time to commence the work after approval of a Certificate of Appropriateness from twelve (12) months to six (6) months; and

WHEREAS, pursuant to Code of Virginia §§ 15.2-2285 and 15.2-2204, after proper notice joint public hearings were held by the Planning Commission and Town Council, and the Planning Commission reviewed and deliberated the proposed revisions, and approved by majority vote, making recommendation for Town Council approval of the revisions made to § 8.29, (as attached); now

THEREFORE, BE IT ORDAINED by the Town Council of Cape Charles, this 15th day of December 2022, that Cape Charles Zoning Ordinance be revised as shown in the attached, as may be amended by Council, to become effective immediately.

Adopted by the Town Council of Cape Charles on December 15, 2022

By: _____
Mayor

ATTEST:

Town Clerk

Section 8.29 Expiration of Certificates of Appropriateness

Any certificate issued pursuant to this article shall expire of its own limitation twelve (12) months from the date of issuance if the work authorized thereby is not commenced by the end of such ~~twelve (12)~~ six (6) month period; and further, any such certificate shall also expire and become null and void if such authorized work is suspended or abandoned for a period of ~~twelve (12)~~ six (6) months after being commenced. Any period or periods of time during which the right to use any such certificate is stayed pursuant to this article shall be excluded from the computation of the ~~twelve (12)~~ six (6) months.



APPLICATION FOR ZONING TEXT AMENDMENT

Planning & Zoning Department
757-3331-3259 x 24
planningtech@capecharles.org

✓ Revised 11/2022	
Taxes	
Violations	
Fee	
Decision	

Completed by P& Z Department Staff:

Date Application Received: 11-14-2022

Town Application # ZTA2022-10

Referred to (check one): ☒ Town Application

☐

Planning Commission

☐

Town Council

Date of Mtg: _____

DECISION OF BOARD: _____

Provide dates of future public hearings, if needed: _____

TO BE COMPLETED BY APPLICANT

Applicant Name: Town of Cape Charles

List All Landowners, if Property is owned by an LLC, LP or other form of corporation:

Property Address: Historic District Overlay – all properties within said overlay district

Phone: 757-331-2036

Email Address: knunez@capecharles.org

Mailing Address: 2 Plum Street, Cape Charles, VA 23310

Property Location: Whole Historic District Overlay

Tax Map #: All properties in the Historic District Overlay Map

Zoning District Impacted by Proposed Application: There are a mix of underlying zoning district within the Historic District Overlay, primarily Residential-1, Commercial-1 and Commercial-Residential.

Zoning Text Application may be submitted by a Cape Charles property owner but a Zoning Text Amendment may only be advanced to public hearing, after this application is advanced as a petition to either the Planning Commission or the Town Council meeting agenda, after staff consultation with the Town Manager. Once this matter is heard at a meeting of one of these respective entities, the application will be required to make a presentation to fully explain the request and demonstrate the need for said request and how the Comprehensive Plan supports and maintains compliance with the goals and objectives of the Comprehensive Plan. The application will need to receive an affirmative vote of the Cape Charles Town Council or Cape Charles Planning Commission to step in as the applicant and to set a calendar advancing the application to public hearing in compliance with the Code of Virginia Section 15.2-2285 and 15.2-2204

Either the Planning Commission or Town Council may prepare and submit an application for a zoning text amendment with either the Town Manager or the Zoning Administrator or Planning Director representing the application on behalf of the Town.

TO BE COMPLETED BY THE APPLICANT:

A. Zoning Ordinance Section Proposed to be Amended (Sec # & Title):

CCZO Section 8.29 (Historic Overlay District –Certificate of Appropriateness)

B. Existing Zoning Text:

Section 8.29 Expiration of Certificates of Appropriateness

Any certificate issued pursuant to this article shall expire of its own limitation twelve (12) months from the date of issuance if the work authorized thereby is not commenced by the end of such twelve (12) month period; and further, any such certificate shall also expire and become null and void if such authorized work is suspended or abandoned for a period of twelve (12) months after being commenced. Any period or periods of time during which the right to use any such certificate is stayed pursuant to this article shall be excluded from the computation of the twelve (12) months.

C. Proposed Revisions/Additions: (attach additional pages as necessary): Additions shown in bold font below and deletions shown as strikethroughs:

Any certificate issued pursuant to this article shall expire of its own limitation ~~twelve (12)~~ **six (6)** months from the date of issuance if the work authorized thereby is not commenced by the end of such ~~twelve (12)~~ **six (6)** month period; and further, any such certificate shall also expire and become null and void if such authorized work is suspended or abandoned for a period of ~~twelve (12)~~ **six (6)** months after being commenced. Any period or periods of time during which the right to use any such certificate is stayed pursuant to this article shall be excluded from the computation of the ~~twelve (12)~~ **six (6)** months.

D. NARRATIVE explaining the reason for the zoning text amendment. Also state how this application is supported through the Comprehensive Plan, providing section and page number support. Include additional pages as needed to fully complete this Narrative and provide any supporting documentation as you deem relevant.

A period of 12 months to commence the work (which may include the application for a building permit) is too lengthy. A Certificate of Appropriateness is valid until the work is completed in a timely fashion and we believe commencing the work within 6 months is ample opportunity from the date of approval.

COMPREHENSIVE PLAN

Pages 20-21

Section III – Future Land Use: Guiding Decisions for the Coming Decades

III-A.5.1 OVERALL POLICIES FOR CAPE CHARLES NEIGHBORHOODS

1. Preserved and enhance the integrity of the Historic District.

- Strengthen the historic preservation ordinance to ensure maintenance and preservation of the existing historic building stock.

Signature of Applicant: Katie H. Nunez Date: 11/14/2022

Application fee: \$200 (mailing and advertising fees are billed separately)

request the comments of the Historic District Review Board. In this case, final action by the Historic District Review Board shall be taken prior to consideration of proposals requiring site plan approval.

Section 8.28 Action by the Historic District Review Board; Issuance of Certificates of Appropriateness

The Historic District Review Board shall render a decision upon any request or application for a Certificate of Appropriateness within ninety (90) days after the filing of an application accepted as complete. Failure of the Historic District Review Board to render such a decision within said ninety (90) day period, unless such period be extended with the concurrence of the applicant, shall entitle the applicant to proceed as if the Historic District Review Board had granted the Certificate of Appropriateness applied for prior to denying the Certificate of Appropriateness. The Historic District Review Board, on the basis of the review of information received, shall, upon request, indicate to the applicant the changes in plans and specifications, if any, which in the opinion of the Historic District Review Board, would protect and/or preserve the historical aspects of the landmark, building, structure, or district. If the applicant determines that they will make the suggested changes, the Historic District Review Board may issue the Certificate of Appropriateness. Agreed to changes will be so stipulated on the Certificate of Appropriateness.

All conditions required for the approval of a certificate of appropriateness will also be included on the building plan and will be reviewed by the Code Official during routine inspections.

The Zoning Administrator will be responsible for issuance of the Certificate of Appropriateness to the applicant and the Town's Code Official office within five (5) business days. Denials of applications are to be stated in writing to the applicant along with the reasons for such denials by the zoning administrator and issued within five (5) business days. Once a Certificate of Appropriateness is granted, the applicant may obtain permits to start work with the understanding that work may be stopped should an appeal be filed to the board's decision within a 30-day period following approval of the Certificate of Appropriateness, and that the applicant takes full responsibility to bear whatever consequences result from the appeal's final decision.

Section 8.29 Expiration of Certificates of Appropriateness

Any certificate issued pursuant to this article shall expire of its own limitation twelve (12) months from the date of issuance if the work authorized thereby is not commenced by the end of such twelve (12) month period; and further, any such certificate shall also expire and become null and void if such authorized work is suspended or abandoned for a period of twelve (12) months after being commenced. Any period or periods of time during which the right to use any such certificate is stayed pursuant to this article shall be excluded from the computation of the twelve (12) months.

Section 8.30 Inspection by Administrator After Approval

When a Certificate of Appropriateness has been issued, the Zoning Administrator or Town Building Official shall from time to time inspect the alteration or construction approved by such certificate and shall give prompt notice to the applicant of any work not in accordance with such certificate or violating any ordinances of the Town. The Zoning Administrator or Town Building Official may revoke the certificate or the building permit if violations are not corrected by the applicant in a timely manner.

Section 8.31 Delay of Approval

In the case of a proposal other than for demolition or moving but involving a designated

 TOWN OF CAPE CHARLES	AGENDA TITLE: Mid-Year 2023 Budget Review		AGENDA DATE: 12/15/2022
	SUBJECT/PROPOSAL/REQUEST: Budget Review and request to re-allocate budget funding for the remainder of fiscal year 2023		ITEM NUMBER: 8E
	ATTACHMENTS: A & B		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): John Hozey/Deborah Pocock	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

All revenue and expenditure accounts have been analyzed and the year-end totals estimated. This analysis provides opportunities to fund needs that have become evident.

DISCUSSION:

As required, an advertisement for a public hearing on December 15, 2022, was placed in the local paper for the requested budget amendment, listing the new appropriations that are requested. Attachment A is the ad that was posted. Attachment B is a summary and detailed listing of each account. Notable increases over the current approved budget are as follows:

General Fund Revenue:

- Meals tax
- BPOL – Business Licenses
- Transient Occupancy Taxes
- Prior year personal property tax
- Town share of County cigarette tax

General Fund Expenditures:

- Professional services associated with the utility sale
- Library HVAC replacement
- Subsidy to the Utility Fund (partially appropriated from the General Fund Balance)

Capital Projects Fund

- Downtown Restrooms/Visitors Center

Utility Fund

- Interest income revenue
- Contingency expense (DEQ fines)
- Sludge removal (contractor cleanup)
- Repair and maintenance (repair/replace equipment)
- Engineering services

RECOMMENDATION:

Staff recommends council examine the funding requests attached and vote to reallocate the funds as listed for the remainder of this fiscal year.

NOTICE OF PUBLIC HEARING

MUNICIPAL CORPORATION OF CAPE CHARLES

FISCAL YEAR 2022/2023 PROPOSED BUDGET AMENDMENT

Pursuant to the Code of Virginia Section 15.2-2507, the Municipal Corporation of Cape Charles Town Council will hear public comments on the following proposed amendments to its Fiscal Year 2023 Town Budget on December 15, 2022, at 6:30 pm, at the Cape Charles Civic Center, 500 Tazewell Avenue, to receive verbal and written comments on all proposed disbursements. Written comments can be submitted prior to the hearing via email to clerk@capecharles.org, or placed in the external drop box at Town Hall. The proposed budget amendment will be discussed and brought to a vote during the regular meeting immediately following the public hearing. Budget amendment details may be viewed on the Town's website, www.capecharles.org, under Agendas and Minutes/Town Council.

Request for budget appropriation increase for FY 2023 in the following amounts:

FUND	Revenue	Expenditures
General Fund	\$436,891.85	\$436,891.85
General Capital Fund	\$238,229.00	\$238,229.00
Utilities Fund	\$459,347.41	\$459,347.41
Harbor Fund	\$35,000.00	\$35,000.00
Sanitation Fund	\$15,005.00	\$15,005.00
Total appropriations requested:	\$1,184,473.26	\$1,184,473.26

Ad submitted to Eastern Shore Post – 11/29/2022

Ad to run 12/2/2022

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW SUMMARY

Fund	General Ledger Account	Approved Budget	Projected Total	Proposed inc/(dec)
Fund: 100 GENERAL FUND				
	General Fund Revenue Total	\$4,108,927.21	\$4,545,819.06	\$436,891.85
	Legislative Expense Total	\$49,872.64	\$49,872.64	\$0.00
	Clerk Expense Total	\$116,227.29	\$116,227.29	\$0.00
	Town Manager Expense Total	\$1,475,609.22	\$1,916,351.46	\$440,742.24
	Finance Expense Total	\$421,237.94	\$423,237.94	\$2,000.00
	Police Dept Expense Total	\$677,018.03	\$641,167.64	(\$35,850.39)
	Code Enforcement Expense Total	\$182,421.09	\$182,421.09	\$0.00
	Public Works Expense Total	\$703,485.17	\$733,485.17	\$30,000.00
	Total Library Expense	\$181,933.65	\$181,933.65	\$0.00
	Total Planning/Zoning Expense	\$301,122.18	\$301,122.18	\$0.00
	General Fund Revenue less Expenditures	\$0.00	\$0.00	\$0.00
Fund: 110 GENERAL CAPITAL PROJECTS FUND				
	Total GC Fund Revenue	\$1,975,313.99	\$2,213,542.99	\$238,229.00
	GC Fund T Manager Expenditures	\$82,581.99	\$82,581.99	\$0.00
	GC Fund Public Works Expenditures	\$1,892,732.00	\$2,118,961.00	\$226,229.00
	GC Fund Planning Expenditures	\$0.00	\$12,000.00	\$12,000.00
	GC Fund Revenue Less Expenditures	\$0.00	\$0.00	\$0.00
Fund: 120 GENERAL DEBT SERVICE FUND				
	Debt Service Revenue Total	\$249,571.15	\$249,571.15	\$0.00
	Town Manager DS Total	\$224,542.15	\$224,542.15	\$0.00
	Police dept DS Total	\$21,149.45	\$21,149.45	\$0.00
	Code Enf Debt Svc Total	\$658.78	\$658.78	\$0.00
	Public Works DS Total	\$3,220.77	\$3,220.77	\$0.00
	Debt Service Fund Revenue Less Expenditures	\$0.00	\$0.00	\$0.00
Fund: 130 GENERAL SPECIAL ACTIVITIES FUND				
	Special Activities Fund Revenue Total	\$950,727.48	\$950,727.48	\$0.00
	SA Fund Town Manager Total	\$936,910.00	\$936,910.00	\$0.00
	SA Fund Public Works Total	\$7,817.48	\$7,817.48	\$0.00
	SA Fund Library Total	\$6,000.00	\$6,000.00	\$0.00
	Special Activities Fund Revenue Less Expenditures	\$0.00	\$0.00	\$0.00
Fund: 501 PUBLIC UTILITIES FUND				
	Utility Fund Revenue Total	\$2,716,788.68	\$3,176,136.09	\$459,347.41
	Utility Admin Total	\$291,943.54	\$336,208.54	\$44,265.00
	Water Plant Total	\$894,298.30	\$909,656.66	\$15,358.36
	Wastewater Plant Total	\$1,469,481.54	\$1,869,205.59	\$399,724.05
	Utility Billing Total	\$61,065.30	\$61,065.30	\$0.00
	Utility Fund Revenue Less Expenditures	\$0.00	\$0.00	\$0.00
Fund: 510 HARBOR FUND				
	Harbor Fund Revenue Total	\$1,154,388.25	\$1,189,388.25	\$35,000.00
	Harbor Fund Expenditure Total	\$1,154,388.25	\$1,189,388.25	\$35,000.00
	Harbor Revenue less Expenditures	\$0.00	\$0.00	\$0.00
Fund: 520 SANITATION FUND				
	Sanitation Revenue Total	\$442,253.12	\$457,258.12	\$15,005.00
	Sanitation Expenditure Total	\$442,253.12	\$457,258.12	\$15,005.00
	Revenue less Expenditures	\$0.00	\$0.00	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
Fund: 100 GENERAL FUND								
	Dept:							
		100-3010-2016 Real Property Tax 2016	\$1,000.00	\$0.00	(\$1,000.00)	0.00%	\$1,000.00	\$0.00
		100-3010-2017 Real Property Tax 2017	\$1,000.00	\$114.10	(\$885.90)	11.41%	\$3,000.00	\$2,000.00
		100-3010-2018 Real Property Tax 2018	\$3,000.00	\$41.23	(\$2,958.77)	1.37%	\$5,000.00	\$2,000.00
		100-3010-2019 Real Property Tax 2019	\$6,000.00	\$41.23	(\$5,958.77)	0.69%	\$8,000.00	\$2,000.00
		100-3010-2020 Real Property Tax 2020	\$8,000.00	\$676.03	(\$7,323.97)	8.45%	\$10,000.00	\$2,000.00
		100-3010-2021 Real Property Tax 2021	\$15,000.00	\$4,481.17	(\$10,518.83)	29.87%	\$17,000.00	\$2,000.00
		100-3010-2022 Real Property Tax 2022	\$1,569,242.00	\$0.03	(\$1,569,241.97)	0.00%	\$1,559,242.00	(\$10,000.00)
		100-3020-2016 Personal Property Tax 2016	\$0.00	\$85.73	\$85.73	0.00%	\$85.73	\$85.73
		100-3020-2017 Personal Property Tax 2017	\$1,000.00	\$88.32	(\$911.68)	8.83%	\$1,000.00	\$0.00
		100-3020-2018 Personal Property Tax 2018	\$1,000.00	\$27.36	(\$972.64)	2.74%	\$1,000.00	\$0.00
		100-3020-2019 Personal Property Tax 2019	\$2,000.00	\$563.35	(\$1,436.65)	28.17%	\$2,000.00	\$0.00
		100-3020-2020 Personal Property Tax 2020	\$6,000.00	\$1,438.93	(\$4,561.07)	23.98%	\$6,000.00	\$0.00
		100-3020-2021 Personal Property Tax 2021	\$7,000.00	\$39,410.59	\$32,410.59	563.01%	\$39,410.59	\$32,410.59
		100-3020-2022 Personal Property Tax 2022	\$95,000.00	\$0.00	(\$95,000.00)	0.00%	\$95,000.00	\$0.00
		100-3025-2019 License Tax 2019	\$150.00	\$93.00	(\$57.00)	62.00%	\$150.00	\$0.00
		100-3025-2020 License Tax 2020	\$1,000.00	\$289.65	(\$710.35)	28.97%	\$1,000.00	\$0.00
		100-3025-2021 License Tax 2021	\$2,000.00	\$5,619.59	\$3,619.59	280.98%	\$2,000.00	\$0.00
		100-3025-2022 License Tax 2022	\$21,000.00	\$0.00	(\$21,000.00)	0.00%	\$21,000.00	\$0.00
		100-3035-2022 Machinery & Tools Tax 2022	\$22,750.00	\$0.00	(\$22,750.00)	0.00%	\$24,000.00	\$1,250.00
		100-3040-1000 Penalties All Property Tax	\$22,312.00	\$2,961.45	(\$19,350.55)	13.27%	\$22,312.00	\$0.00
		100-3050-1000 Golf Cart Decals	\$17,500.00	\$2,278.50	(\$15,221.50)	13.02%	\$17,500.00	\$0.00
		100-3050-1100 Consumer Utility Taxes - Elec & Gas	\$59,000.00	\$21,147.29	(\$37,852.71)	35.84%	\$61,000.00	\$2,000.00
		100-3050-1200 Communications Tax - Phone	\$33,500.00	\$10,919.63	(\$22,580.37)	32.60%	\$33,000.00	(\$500.00)
		100-3050-1300 BPOL - ALL	\$220,000.00	\$18,694.75	(\$201,305.25)	8.50%	\$250,000.00	\$30,000.00
		100-3050-1400 Admission Taxes	\$14,000.00	\$7,711.85	(\$6,288.15)	55.08%	\$14,500.00	\$500.00
		100-3050-1500 Transient Occupancy Tax	\$475,000.00	\$327,664.09	(\$147,335.91)	68.98%	\$518,000.00	\$43,000.00
		100-3050-1600 Meals Tax	\$640,000.00	\$383,581.28	(\$256,418.72)	59.93%	\$750,000.00	\$110,000.00
		100-3050-1650 Meals Tax .5% for Capital Projects	\$64,000.00	\$38,358.13	(\$25,641.87)	59.93%	\$75,000.00	\$11,000.00
		100-3050-1700 Short Term Rental Tax	\$12,000.00	\$7,275.15	(\$4,724.85)	60.63%	\$13,000.00	\$1,000.00
		100-3050-1750 County Cigarette Tax Sharing	\$0.00	\$6,556.91	\$6,556.91	0.00%	\$10,000.00	\$10,000.00
		100-3050-1800 Rolling Stock & Misc Taxes	\$4.00	\$51.43	\$47.43	1,285.75%	\$51.43	\$47.43
		100-3075-1000 Penalties & Int on Misc Taxes & Licenses	\$700.00	\$9.00	(\$691.00)	1.29%	\$700.00	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
		100-3100-1000 Harbor Development Certificate P/Z	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3100-1050 Land Use/Conditional Use Application P/Z	\$5,000.00	\$0.00	(\$5,000.00)	0.00%	\$5,000.00	\$0.00
		100-3100-1060 Zoning Variance Advertising	\$1,000.00	\$1,686.11	\$686.11	168.61%	\$1,686.11	\$686.11
		100-3100-1070 Miscellaneous Planning/Zoning Fees P/Z	\$7,500.00	\$1,890.00	(\$5,610.00)	25.20%	\$7,500.00	\$0.00
		100-3100-1080 Subdivision Fees P/Z	\$0.00	\$10,875.00	\$10,875.00	0.00%	\$10,875.00	\$10,875.00
		100-3100-1100 Historic Review Fees COA P/Z	\$8,133.33	\$10,000.00	\$1,866.67	122.95%	\$10,000.00	\$1,866.67
		100-3100-1110 Building Permits	\$115,000.00	\$57,747.77	(\$57,252.23)	50.22%	\$115,000.00	\$0.00
		100-3100-1150 Planning & Review Fees	\$19,500.00	\$3,150.00	(\$16,350.00)	16.15%	\$19,500.00	\$0.00
		100-3100-1160 Electrical Permits	\$10,000.00	\$5,121.85	(\$4,878.15)	51.22%	\$10,000.00	\$0.00
		100-3100-1200 Plumbing Permits	\$6,500.00	\$3,911.50	(\$2,588.50)	60.18%	\$6,500.00	\$0.00
		100-3100-1220 Plumbing Inspection Fees DONOTUSE	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3100-1250 Mechanical Permits	\$6,500.00	\$5,316.78	(\$1,183.22)	81.80%	\$6,500.00	\$0.00
		100-3100-1260 Elevator Permits	\$500.00	\$595.25	\$95.25	119.05%	\$595.25	\$95.25
		100-3100-1300 UST/AST Permit	\$1,600.00	\$300.00	(\$1,300.00)	18.75%	\$1,600.00	\$0.00
		100-3100-1350 Occupancy Permits, Temporary	\$2,000.00	\$1,200.00	(\$800.00)	60.00%	\$2,000.00	\$0.00
		100-3100-1360 Permit After Fact Admin Fee	\$2,000.00	\$0.00	(\$2,000.00)	0.00%	\$2,000.00	\$0.00
		100-3100-1400 Building Plan Review Fees	\$10,000.00	\$3,800.00	(\$6,200.00)	38.00%	\$10,000.00	\$0.00
		100-3100-1410 Shallow Well Permits	\$800.00	\$600.00	(\$200.00)	75.00%	\$800.00	\$0.00
		100-3100-1460 Erosion & Sediment Control Permit	\$6,000.00	\$525.00	(\$5,475.00)	8.75%	\$6,000.00	\$0.00
		100-3100-1470 Erosion & Sediment Plan Review Fee	\$1,500.00	\$3,000.00	\$1,500.00	200.00%	\$3,000.00	\$1,500.00
		100-3100-1500 Demolition Permit	\$100.00	\$50.00	(\$50.00)	50.00%	\$100.00	\$0.00
		100-3100-1510 Gas Permit	\$4,000.00	\$1,539.75	(\$2,460.25)	38.49%	\$4,000.00	\$0.00
		100-3100-1550 Misc Building Dept Fees	\$10,000.00	\$4,400.00	(\$5,600.00)	44.00%	\$10,000.00	\$0.00
		100-3100-1560 Fire Permit	\$500.00	\$0.00	(\$500.00)	0.00%	\$500.00	\$0.00
		100-3100-1570 Sign Permit P/Z	\$200.00	\$0.00	(\$200.00)	0.00%	\$200.00	\$0.00
		100-3100-1600 Rental Inspections	\$12,500.00	\$1,600.00	(\$10,900.00)	12.80%	\$12,500.00	\$0.00
		100-3200-1600 Court Fines and Forfeitures	\$30,000.00	\$19,815.37	(\$10,184.63)	66.05%	\$30,000.00	\$0.00
		100-3200-1640 Planning/Zoning Fines/Fees	\$2,000.00	\$0.00	(\$2,000.00)	0.00%	\$2,000.00	\$0.00
		100-3200-1650 Code Enfrcmnt Admin Fees/Fines	\$3,500.00	\$200.00	(\$3,300.00)	5.71%	\$3,500.00	\$0.00
		100-3200-1660 Traffic & Parking Fines	\$12,000.00	\$5,550.00	(\$6,450.00)	46.25%	\$12,000.00	\$0.00
		100-3200-1700 E-Summons \$5 Fee-Future Software Purchase	\$3,000.00	\$1,348.78	(\$1,651.22)	44.96%	\$3,000.00	\$0.00
		100-3200-1710 Police Nexis Lexis	\$50.00	\$20.00	(\$30.00)	40.00%	\$50.00	\$0.00
		100-3300-1700 Interest on Bank Deposits	\$2,300.00	\$2,306.72	\$6.72	100.29%	\$2,306.72	\$6.72
		100-3300-1750 Dividends & Interest on Investments	\$2,300.00	\$4,269.69	\$1,969.69	185.64%	\$4,269.69	\$1,969.69
		100-3400-1750 Rental of Parks/Rec Property & Facility	\$750.00	\$200.00	(\$550.00)	26.67%	\$750.00	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
		100-3400-1800 Lease Revenue - Harbor Lot	\$32,000.00	\$17,493.98	(\$14,506.02)	54.67%	\$32,000.00	\$0.00
		100-3400-1810 Lease Revenue - Water Tower	\$2,400.00	\$600.00	(\$1,800.00)	25.00%	\$2,400.00	\$0.00
		100-3500-1800 Sale of Surplus Equipment & Misc	\$0.00	\$808.00	\$808.00	0.00%	\$808.00	\$808.00
		100-3500-1850 Library Service & Misc Fees	\$300.00	\$404.54	\$104.54	134.85%	\$404.54	\$104.54
		100-3500-1900 Recreation & Event Fees Collected	\$800.00	\$0.00	(\$800.00)	0.00%	\$800.00	\$0.00
		100-3500-1910 Sale of Maps, Plats, Surveys, Blueprints, Misc	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3500-1920 Notary Services	\$100.00	\$50.00	(\$50.00)	50.00%	\$100.00	\$0.00
		100-3500-1950 FOIA Service Fees	\$350.00	\$0.00	(\$350.00)	0.00%	\$350.00	\$0.00
		100-3500-1960 Credit 1%/Debit \$.25 Card Use Fee	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3500-1970 DMV Stop Fee Collected	\$500.00	\$100.00	(\$400.00)	20.00%	\$500.00	\$0.00
		100-3500-2000 Sale of Town Real Property	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3600-1000 Gifts and Donations-Private Sources-REC	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3600-2000 Gifts & Private Donations Police	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3600-3000 Gifts & Private Donations Library non-FOL	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3600-4000 Insurance Proceeds, Refund or Misc Rebate	\$15,341.88	\$0.00	(\$15,341.88)	0.00%	\$15,341.88	\$0.00
		100-3600-5000 Surplus & Salvage Property Sale	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3600-6000 Appropriation From Fund Balance	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3600-9000 Reapprprtd Funding - Carryover Projects	\$110,000.00	\$0.00	(\$110,000.00)	0.00%	\$110,000.00	\$0.00
		100-3650-1000 Credit/Debit Card Fee Revenue	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3650-1500 Recovery Misc. Costs - Finance	\$0.00	\$220.00	\$220.00	0.00%	\$220.00	\$220.00
		100-3650-2000 Recovery - Police Property Loss & Misc.	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3650-3000 Recovery, Misc.-Code Enf (mowing, demo, etc)	\$0.00	\$110.00	\$110.00	0.00%	\$110.00	\$110.00
		100-3650-4000 Recovery Public Works - Misc Damage	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3650-5000 Recovery (damage)-Parks & Rec	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3650-6000 Recovery Town Mgr-Misc.	\$0.00	\$0.00	\$0.00	0.00%	\$10,000.00	\$10,000.00
		100-3650-7000 Recovery - Retirement Forfeiture	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3700-1000 Grant - Recov. of Storm Damages FEMA	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3700-2200 Grant Gen Fund - USDA RD	\$29,400.00	\$0.00	(\$29,400.00)	0.00%	\$14,700.00	(\$14,700.00)
		100-3700-3000 Proceeds from Loan/Bond Issuance	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3750-1000 Rolling Stock Taxes	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3750-2000 Personal Prop. Tax Reimbursement- PPTRA	\$35,424.00	\$35,423.60	(\$0.40)	100.00%	\$35,424.00	\$0.00
		100-3750-3000 Local SALES & USE Taxes	\$74,000.00	\$31,396.53	(\$42,603.47)	42.43%	\$74,000.00	\$0.00
		100-3750-3100 DMV Humane Plates Pybl to ESSO	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3750-3200 Grant/Donation - Misc. Pass-through	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3800-1000 Assistance to Local Police Dept HB 599 - State	\$31,250.00	\$8,589.00	(\$22,661.00)	27.48%	\$31,250.00	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
		100-3800-2000 Grant - DCJS LOLE/Byrne	\$5,179.00	\$0.00	(\$5,179.00)	0.00%	\$5,179.00	\$0.00
		100-3800-3000 Grant - Fire Program Funds (Passthru)	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3800-4000 Grant - VDOT Roads, Trails & Sidewks	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3800-5000 Grant - Litter Prevention Grant (DEQ)	\$1,329.00	\$0.00	(\$1,329.00)	0.00%	\$1,329.00	\$0.00
		100-3800-6000 Grant - Miscellaneous/Other	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3800-6001 Reappropriated Funding - Carryover Projects	\$59,712.00	\$0.00	(\$59,712.00)	0.00%	\$59,712.00	\$0.00
		100-3800-7000 Grant - VA State Promotion of the Arts Passthru	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3800-8000 Grant - Library Program Other	\$0.00	\$400.00	\$400.00	0.00%	\$400.00	\$400.00
		100-3800-9920 COVID related Federal Grants-CARES & ARPA	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3850-1000 Grant - Northampton County Library	\$30,000.00	\$30,000.00	\$0.00	100.00%	\$30,000.00	\$0.00
		100-3850-2000 Grant Other - Northampton County	\$10,000.00	\$0.00	(\$10,000.00)	0.00%	\$10,000.00	\$0.00
		100-3900-1000 Grant - VML Risk Management	\$4,000.00	\$4,000.00	\$0.00	100.00%	\$4,000.00	\$0.00
		100-3900-6000 Appropriation from Fund Balance	\$0.00	\$0.00	\$0.00	0.00%	\$209,456.12	\$209,456.12
		100-3950-1000 Loan Proceeds previous year	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3950-1050 Loan Proceeds Current Year	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3950-2000 Reappropriate Grant Proceeds Previous Year	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3950-2100 Loan Proceeds USDA Rural Devlpmnt	\$54,600.00	\$0.00	(\$54,600.00)	0.00%	\$27,300.00	(\$27,300.00)
		100-3950-8520 Transfer from Sanitation Fund	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-3975-1000 Misc Rev Proceeds from Fair/Event	\$3,100.00	\$0.00	(\$3,100.00)	0.00%	\$3,100.00	\$0.00
		100-3975-1100 Miscellaneous Rev & NSF Fees-Gen Fund	\$2,250.00	\$0.00	(\$2,250.00)	0.00%	\$2,250.00	\$0.00
		General Fund Revenue Total	\$4,108,927.21	\$1,160,918.99	(\$2,948,008.22)	28%	\$4,545,819.06	\$436,891.85

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
	Dept: 4110							
		100-4110-1200 PT Salaries & Wages Legislative	\$4,800.00	\$1,600.00	\$3,200.00	33.33%	\$4,800.00	\$0.00
		100-4110-2000 FICA Expense	\$237.20	\$130.02	\$107.18	54.81%	\$237.20	\$0.00
		100-4110-2100 SUI Expense	\$25.44	\$9.10	\$16.34	35.77%	\$25.44	\$0.00
		100-4110-2230 Worker's Comp	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4110-3025 Repair Maint & Inspect Contracted Svcs	\$2,200.00	\$0.00	\$2,200.00	0.00%	\$2,200.00	\$0.00
		100-4110-3430 IT Services	\$250.00	\$0.00	\$250.00	0.00%	\$250.00	\$0.00
		100-4110-3450 Printing & Design Services	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4110-3500 Advertising Services	\$5,000.00	\$899.42	\$4,100.58	17.99%	\$5,000.00	\$0.00
		100-4110-5040 Phone Service	\$500.00	\$164.18	\$335.82	32.84%	\$500.00	\$0.00
		100-4110-5050 Internet & Cable Services	\$1,360.00	\$511.88	\$848.12	37.64%	\$1,360.00	\$0.00
		100-4110-5080 Lease, Bldgs & Property	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4110-5200 Travel-Mileage, Parking & Tolls	\$3,150.00	\$414.97	\$2,735.03	13.17%	\$3,150.00	\$0.00
		100-4110-5210 Travel-Lodging & Meals	\$9,300.00	\$1,511.11	\$7,788.89	16.25%	\$9,300.00	\$0.00
		100-4110-5220 Conference	\$5,250.00	\$1,925.00	\$3,325.00	36.67%	\$5,250.00	\$0.00
		100-4110-5230 Education	\$1,200.00	\$0.00	\$1,200.00	0.00%	\$1,200.00	\$0.00
		100-4110-5240 Books & Subscriptions	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4110-5250 Dues & Memberships	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4110-5310 Insurance, Public Official Liability	\$7,000.00	\$3,829.04	\$3,170.96	54.70%	\$7,000.00	\$0.00
		100-4110-6000 Office Supplies	\$800.00	\$0.00	\$800.00	0.00%	\$800.00	\$0.00
		100-4110-6125 Departmental Equipment & Supplies	\$2,300.00	\$814.40	\$1,485.60	35.41%	\$2,300.00	\$0.00
		100-4110-6150 Computer, Software & Electronics <\$10K	\$6,500.00	\$2.97	\$6,497.03	0.05%	\$6,500.00	\$0.00
		100-4110-6225 Repair & Maintenance Supplies Legislative	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		Legislative Expense Total	\$49,872.64	\$11,812.09	\$38,060.55	24%	\$49,872.64	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
	Dept: 4112							
		100-4112-1000 Regular Salaries & Wages Town Clerk	\$65,266.00	\$23,304.95	\$41,961.05	35.71%	\$65,266.00	\$0.00
		100-4112-1100 Regular Salaries & Wages OT Town Clerk	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4112-2000 FICA Expense	\$4,992.85	\$1,779.89	\$3,212.96	35.65%	\$4,992.85	\$0.00
		100-4112-2100 SUI Expense	\$42.40	\$0.00	\$42.40	0.00%	\$42.40	\$0.00
		100-4112-2200 Retirement-ER VRS & ICMA-RC Contribution	\$4,913.86	\$1,637.96	\$3,275.90	33.33%	\$4,913.86	\$0.00
		100-4112-2210 Life Insurance	\$858.48	\$286.16	\$572.32	33.33%	\$858.48	\$0.00
		100-4112-2220 Disability Insurance, LTD & STD	\$491.16	\$109.61	\$381.55	22.32%	\$491.16	\$0.00
		100-4112-2230 Worker's Comp	\$38.96	\$14.54	\$24.42	37.32%	\$38.96	\$0.00
		100-4112-2300 Health Insurance	\$1,742.26	\$0.00	\$1,742.26	0.00%	\$1,742.26	\$0.00
		100-4112-2310 Dental Insurance	\$600.00	\$200.00	\$400.00	33.33%	\$600.00	\$0.00
		100-4112-2320 Vision Insurance	\$91.32	\$38.05	\$53.27	41.67%	\$91.32	\$0.00
		100-4112-2325 AFLAC Insurance Premiums - Town portion	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4112-2340 Employee Assist Program	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4112-2345 Employee/Volunteer Testing	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4112-2360 Staff & Volunteer Appreciation	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4112-3000 Contract Labor	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4112-3020 Maint Svc Contracts - Annual	\$600.00	\$495.00	\$105.00	82.50%	\$600.00	\$0.00
		100-4112-3025 Repair Maint & Inspect Contracted Svcs	\$2,000.00	\$0.00	\$2,000.00	0.00%	\$2,000.00	\$0.00
		100-4112-3030 Lease - Storage	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4112-3430 IT Services	\$12,900.00	\$2,402.00	\$10,498.00	18.62%	\$12,900.00	\$0.00
		100-4112-3450 Printing & Design Services	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4112-3500 Advertising Services	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4112-5040 Phone Service	\$780.00	\$260.00	\$520.00	33.33%	\$780.00	\$0.00
		100-4112-5050 Internet & Cable Services	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4112-5110 Lease, Office Equipment	\$65.00	\$0.00	\$65.00	0.00%	\$65.00	\$0.00
		100-4112-5200 Travel-Mileage, Parking & Tolls	\$1,000.00	\$0.00	\$1,000.00	0.00%	\$1,000.00	\$0.00
		100-4112-5210 Travel-Lodging & Meals	\$1,550.00	\$0.00	\$1,550.00	0.00%	\$1,550.00	\$0.00
		100-4112-5220 Conference	\$1,200.00	\$450.00	\$750.00	37.50%	\$1,200.00	\$0.00
		100-4112-5230 Education	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4112-5240 Books & Subscriptions	\$14,080.00	\$1,500.00	\$12,580.00	10.65%	\$14,080.00	\$0.00
		100-4112-5250 Dues & Memberships	\$515.00	\$89.00	\$426.00	17.28%	\$515.00	\$0.00
		100-4112-6000 Office Supplies	\$1,300.00	\$113.82	\$1,186.18	8.76%	\$1,300.00	\$0.00
		100-4112-6150 Computer, Software & Electronics <\$10K	\$1,200.00	\$0.00	\$1,200.00	0.00%	\$1,200.00	\$0.00
		Clerk Expense Total	\$116,227.29	\$32,680.98	\$83,546.31	28%	\$116,227.29	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
	Dept: 4121							
		100-4121-1000 Regular Salaries & Wages-Town Manager	\$157,618.35	\$55,863.32	\$101,755.03	35.44%	\$157,618.35	\$0.00
		100-4121-1100 Regular Wages TMgr OT	\$0.00	\$668.59	(\$668.59)	0.00%	\$2,034.00	\$2,034.00
		100-4121-1200 PT Salaries & Wages Town Mgr	\$44,198.35	\$10,636.00	\$33,562.35	24.06%	\$44,198.35	\$0.00
		100-4121-1400 Seasonal Wages Beach Attendants	\$0.00	\$3,321.26	(\$821.26)	0.00%	\$10,000.00	\$10,000.00
		100-4121-1500 Seasonal Wages OT Beach Attendants	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-1600 Bonus & Increase Pool Gen Fund	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-1800 Allocated Wages	(\$16,995.00)	(\$5,665.00)	(\$11,330.00)	33.33%	(\$16,995.00)	\$0.00
		100-4121-1900 Personnel Lapse Allowance	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-2000 FICA Expense	\$16,361.84	\$5,370.11	\$10,991.73	32.82%	\$16,361.84	\$0.00
		100-4121-2100 SUI Expense	\$169.60	\$16.46	\$153.14	9.71%	\$169.60	\$0.00
		100-4121-2200 Retirement-ER VRS & ICMA-RC Contribution	\$11,850.02	\$3,950.04	\$7,899.98	33.33%	\$11,850.02	\$0.00
		100-4121-2210 Life Insurance	\$2,070.28	\$690.04	\$1,380.24	33.33%	\$2,070.28	\$0.00
		100-4121-2220 Disability Insurance, LTD & STD	\$1,172.15	\$259.22	\$912.93	22.11%	\$1,172.15	\$0.00
		100-4121-2230 Worker's Comp	\$970.12	\$322.40	\$647.72	33.23%	\$970.12	\$0.00
		100-4121-2300 Health Insurance	\$14,425.55	\$5,563.20	\$8,862.35	38.56%	\$14,425.55	\$0.00
		100-4121-2310 Dental Insurance	\$578.40	\$192.80	\$385.60	33.33%	\$578.40	\$0.00
		100-4121-2340 Employee Assist Program	\$250.00	\$101.75	\$148.25	40.70%	\$250.00	\$0.00
		100-4121-2345 Employee/Volunteer Testing	\$120.00	\$0.00	\$120.00	0.00%	\$120.00	\$0.00
		100-4121-2350 Relocation Assistance	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-2360 Staff & Volunteer Appreciation	\$7,500.00	\$94.52	\$7,405.48	1.26%	\$7,500.00	\$0.00
		100-4121-2800 Allocated Benefits	(\$4,019.66)	(\$1,404.48)	(\$2,615.18)	34.94%	(\$4,019.66)	\$0.00
		100-4121-3000 Contract Labor	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-3005 Program and Event Performers	\$12,000.00	\$0.00	\$12,000.00	0.00%	\$12,000.00	\$0.00
		100-4121-3025 Repair Maint & Inspect Contracted Svcs	\$8,700.00	\$2,957.58	\$5,742.42	34.00%	\$8,700.00	\$0.00
		100-4121-3400 Legal Services TM	\$75,000.00	\$9,543.55	\$65,456.45	12.72%	\$74,250.00	(\$750.00)
		100-4121-3401 Legal Services Finance	\$1,500.00	\$2,250.00	(\$750.00)	150.00%	\$2,250.00	\$750.00
		100-4121-3402 Legal Services Code Enf	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-3404 Legal Services Police	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-3405 Legal Services Planner	\$6,000.00	\$2,137.75	\$3,862.25	35.63%	\$6,000.00	\$0.00
		100-4121-3406 Legal Services Public Works	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-3410 Professional Services	\$80,000.00	\$43,960.68	\$36,039.32	54.95%	\$124,000.00	\$44,000.00
		100-4121-3420 Engineering & Architect Svcs Gen Fund	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-3430 IT Services	\$8,000.00	\$426.68	\$7,573.32	5.33%	\$8,000.00	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
		100-4121-3450 Printing & Design Services	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-3500 Advertising Services	\$2,000.00	\$0.00	\$2,000.00	0.00%	\$2,000.00	\$0.00
		100-4121-4010 Grant Exp Exp- Arts Enter Passthru	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-4015 Grant Exp - Town Match Arts Enter VCA	\$4,500.00	\$4,500.00	\$0.00	100.00%	\$4,500.00	\$0.00
		100-4121-4020 Grant Exp - Fire Department Passthru	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-4025 Grant Exp - Town Support Fire Dept	\$25,000.00	\$25,000.00	\$0.00	100.00%	\$25,000.00	\$0.00
		100-4121-4030 Grant Exp - Nrthmptn Cty Tourism Infrast.	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-4050 Grant Exp - Eastern Shore Tourism Comm.	\$5,000.00	\$5,000.00	\$0.00	100.00%	\$5,000.00	\$0.00
		100-4121-4070 Grant Exp - VRSA Risk Mngmnt Grant Exp	\$4,000.00	\$2,620.21	\$1,379.79	65.51%	\$4,000.00	\$0.00
		100-4121-4100 Grant Exp - YMCA	\$5,000.00	\$5,000.00	\$0.00	100.00%	\$5,000.00	\$0.00
		100-4121-4200 Fireworks	\$20,000.00	\$0.00	\$20,000.00	0.00%	\$20,000.00	\$0.00
		100-4121-4210 Cape Charles Main Street	\$90,000.00	\$45,000.00	\$45,000.00	50.00%	\$90,000.00	\$0.00
		100-4121-5000 Tax Refund - Prior Year, (RE, PP, BPOL, MISC)	\$1,800.00	\$251.35	\$1,548.65	13.96%	\$1,800.00	\$0.00
		100-4121-5005 Refund - Misc. Fees	\$1,200.00	\$0.00	\$1,200.00	0.00%	\$1,200.00	\$0.00
		100-4121-5010 Refund - Tourism Zone BPOL	\$2,000.00	\$0.00	\$2,000.00	0.00%	\$2,000.00	\$0.00
		100-4121-5020 Refund - Tourism Zone Real & Business Property Tax	\$2,000.00	\$0.00	\$2,000.00	0.00%	\$2,000.00	\$0.00
		100-4121-5030 Refund - Tourism Zone Permit Fees	\$4,000.00	\$0.00	\$4,000.00	0.00%	\$4,000.00	\$0.00
		100-4121-5040 Phone Service	\$10,420.00	\$2,440.40	\$7,979.60	23.42%	\$10,420.00	\$0.00
		100-4121-5050 Internet & Cable Services	\$1,550.00	\$435.92	\$1,114.08	28.12%	\$1,550.00	\$0.00
		100-4121-5070 Postage	\$8,000.00	\$554.40	\$7,445.60	6.93%	\$8,000.00	\$0.00
		100-4121-5080 Lease, Bldgs & Property	\$2,500.00	\$375.00	\$2,125.00	15.00%	\$2,500.00	\$0.00
		100-4121-5090 Lease, Rlght of Way	\$3,750.00	\$0.00	\$3,750.00	0.00%	\$3,750.00	\$0.00
		100-4121-5110 Lease, Office Equipment	\$7,025.00	\$1,828.80	\$5,196.20	26.03%	\$7,025.00	\$0.00
		100-4121-5200 Travel-Mileage, Parking & Tolls	\$800.00	\$0.00	\$800.00	0.00%	\$800.00	\$0.00
		100-4121-5210 Travel-Lodging & Meals	\$1,600.00	\$18.79	\$1,581.21	1.17%	\$1,600.00	\$0.00
		100-4121-5220 Conference	\$400.00	\$425.00	(\$25.00)	106.25%	\$425.00	\$25.00
		100-4121-5230 Education	\$400.00	\$185.00	\$215.00	46.25%	\$400.00	\$0.00
		100-4121-5250 Dues & Memberships	\$1,350.00	\$250.00	\$1,100.00	18.52%	\$1,350.00	\$0.00
		100-4121-5300 Insurance, Property & General Liability	\$38,205.44	\$19,784.48	\$18,420.96	51.78%	\$38,205.44	\$0.00
		100-4121-5340 Licensing	\$740.00	\$0.00	\$740.00	0.00%	\$740.00	\$0.00
		100-4121-6000 Office Supplies	\$9,400.00	\$6,325.32	\$3,074.68	67.29%	\$9,400.00	\$0.00
		100-4121-6050 Uniforms Expense	\$600.00	\$514.17	\$85.83	85.70%	\$600.00	\$0.00
		100-4121-6100 Program & Event Supplies	\$25,000.00	\$11,318.37	(\$3,550.79)	114.20%	\$25,000.00	\$0.00
		100-4121-6125 Event Departmental Equipment	\$22,000.00	\$3,754.07	\$18,245.93	17.06%	\$22,000.00	\$0.00
		100-4121-6150 Computer, Software & Electronics <\$10K	\$8,400.00	\$7,563.46	\$836.54	90.04%	\$8,400.00	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
		100-4121-6175 Vehicles & Powered Equipment Fuel - Admin Vehicle	\$600.00	\$70.42	\$529.58	11.74%	\$600.00	\$0.00
		100-4121-6200 Vehicles & Equipment Repair	\$1,500.00	\$0.00	\$1,500.00	0.00%	\$1,500.00	\$0.00
		100-4121-6225 Repair & Maintenance	\$500.00	\$0.00	\$500.00	0.00%	\$500.00	\$0.00
		100-4121-6900 Contingency Fund Exp Gen Fund	\$60,000.00	\$0.00	\$60,000.00	0.00%	\$60,000.00	\$0.00
		100-4121-7080 Computers, Software & Elec Equip.>\$5000	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-8100 Transfer to Fund Balance - Excess Rev	\$147,496.64	\$0.00	\$147,496.64	0.00%	\$147,496.64	\$0.00
		100-4121-8110 Transfer to Gen Capital Proj Fund - Min 6%	\$215,830.99	\$0.00	\$215,830.99	0.00%	\$215,830.99	\$0.00
		100-4121-8111 Transfer .5% Meals tax to Cap Proj Fund	\$64,000.00	\$38,358.13	\$25,641.87	59.93%	\$75,000.00	\$11,000.00
		100-4121-8112 Transfer Reappropriated Funds to Cap Proj Fund	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-8120 Transfer to Gen Debt Svc Fund	\$249,571.15	\$104,497.78	\$145,073.37	41.87%	\$249,571.15	\$0.00
		100-4121-8130 Transfer to Gen Special Activity Fund	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4121-8501 Transfer to Utilities Fund	\$0.00	\$0.00	\$0.00	0.00%	\$373,683.24	\$373,683.24
		Town Manager Expense Total	\$1,475,609.22	\$427,327.54	\$1,033,549.26	30%	\$1,916,351.46	\$440,742.24

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
	Dept: 4124							
		100-4124-1000 Regular Salaries & Wages-Finance	\$266,147.87	\$95,438.47	\$170,709.40	35.86%	\$266,147.87	\$0.00
		100-4124-1100 Regular Salaries & Wages OT Finance	\$837.37	\$0.00	\$837.37	0.00%	\$837.37	\$0.00
		100-4124-1200 PT Salaries & Wages Finance	\$0.00	\$1,718.75	(\$1,718.75)	0.00%	\$2,000.00	\$2,000.00
		100-4124-1300 PT Salaries & Wages OT Fin	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4124-1800 Allocated Wages	(\$17,789.57)	(\$5,929.88)	(\$11,859.69)	33.33%	(\$17,789.57)	\$0.00
		100-4124-2000 FICA Expense	\$20,424.37	\$6,885.23	\$13,539.14	33.71%	\$20,424.37	\$0.00
		100-4124-2100 SUI Expense	\$212.00	\$0.00	\$212.00	0.00%	\$212.00	\$0.00
		100-4124-2200 Retirement-ER VRS & ICMA-RC Contribution	\$19,714.04	\$6,571.33	\$13,142.71	33.33%	\$19,714.04	\$0.00
		100-4124-2210 Life Insurance	\$3,444.17	\$1,148.07	\$2,296.10	33.33%	\$3,444.17	\$0.00
		100-4124-2220 Disability Insurance, LTD & STD	\$2,000.00	\$452.05	\$1,547.95	22.60%	\$2,000.00	\$0.00
		100-4124-2230 Worker's Comp	\$158.22	\$59.06	\$99.16	37.33%	\$158.22	\$0.00
		100-4124-2300 Health Insurance	\$40,414.88	\$12,006.58	\$28,408.30	29.71%	\$40,414.88	\$0.00
		100-4124-2310 Dental Insurance	\$1,446.00	\$482.00	\$964.00	33.33%	\$1,446.00	\$0.00
		100-4124-2320 Vision Insurance	\$91.32	\$38.05	\$53.27	41.67%	\$91.32	\$0.00
		100-4124-2325 AFLAC Insurance Premiums - Town portion	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4124-2330 Benefits Adminstn Fees	\$3,300.00	\$381.50	\$2,918.50	11.56%	\$3,300.00	\$0.00
		100-4124-2800 Allocated Benefits	(\$5,840.73)	(\$2,089.00)	(\$3,751.73)	35.77%	(\$5,840.73)	\$0.00
		100-4124-3000 Contract Labor	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4124-3020 Maint Svc Contracts	\$11,800.00	\$1,262.00	\$10,538.00	10.69%	\$11,800.00	\$0.00
		100-4124-3430 IT Services	\$1,200.00	\$40.00	\$1,160.00	3.33%	\$1,200.00	\$0.00
		100-4124-3500 Advertising Services	\$650.00	\$0.00	\$650.00	0.00%	\$650.00	\$0.00
		100-4124-3600 Payroll Processing & Timekeeping	\$9,250.00	\$2,795.10	\$6,454.90	30.22%	\$9,250.00	\$0.00
		100-4124-3700 Auditor & Accountant Services	\$30,000.00	\$0.00	\$30,000.00	0.00%	\$30,000.00	\$0.00
		100-4124-3710 Collections Services & DMV Fees	\$1,000.00	\$723.00	\$277.00	72.30%	\$1,000.00	\$0.00
		100-4124-3730 Bank Service Charges	\$4,600.00	\$1,824.53	\$2,775.47	39.66%	\$4,600.00	\$0.00
		100-4124-3740 Merchant Service Costs	\$9,500.00	\$3,107.39	\$6,392.61	32.71%	\$9,500.00	\$0.00
		100-4124-3750 Late Fees	\$100.00	\$0.00	\$100.00	0.00%	\$100.00	\$0.00
		100-4124-3760 Cash Short & Over Finance	\$0.00	(\$8.04)	\$8.04	0.00%	\$0.00	\$0.00
		100-4124-5040 Phone Service	\$1,560.00	\$506.92	\$1,053.08	32.49%	\$1,560.00	\$0.00
		100-4124-5110 Lease, Office Equipment	\$1,250.00	\$423.81	\$826.19	33.90%	\$1,250.00	\$0.00
		100-4124-5200 Travel-Mileage, Parking & Tolls	\$871.00	\$856.60	\$84.75	90.27%	\$1,871.00	\$1,000.00
		100-4124-5210 Travel-Lodging & Meals	\$3,297.00	\$115.77	\$3,181.23	3.51%	\$2,297.00	(\$1,000.00)
		100-4124-5220 Conference	\$2,395.00	\$525.00	\$1,870.00	21.92%	\$2,395.00	\$0.00
		100-4124-5230 Education	\$2,225.00	\$210.00	\$2,015.00	9.44%	\$2,225.00	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
		100-4124-5240 Books & Subscriptions	\$150.00	\$0.00	\$150.00	0.00%	\$150.00	\$0.00
		100-4124-5250 Dues & Memberships	\$930.00	\$360.00	\$570.00	38.71%	\$930.00	\$0.00
		100-4124-6000 Office Supplies	\$5,250.00	\$970.71	\$4,279.29	18.49%	\$5,250.00	\$0.00
		100-4124-6150 Computer, Software & Electronics <\$10K	\$650.00	\$0.00	\$650.00	0.00%	\$650.00	\$0.00
		Finance Expense Total	\$421,237.94	\$130,875.00	\$290,433.29	31%	\$423,237.94	\$2,000.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
	Dept: 4310							
		100-4310-1000 Regular Salaries & Wages-Police	\$372,084.72	\$136,521.42	\$235,563.30	36.69%	\$372,084.72	\$0.00
		100-4310-1100 Regular Salaries & Wages OT Police	\$4,000.00	\$2,593.56	\$1,406.44	64.84%	\$4,000.00	\$0.00
		100-4310-1200 Part Time Wages Police (COVID related)	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4310-2000 FICA Expense	\$28,770.48	\$10,065.48	\$18,705.00	34.99%	\$28,770.48	\$0.00
		100-4310-2100 SUI Expense	\$296.80	\$0.00	\$296.80	0.00%	\$296.80	\$0.00
		100-4310-2200 Retirement-ER VRS & ICMA-RC Contribution	\$26,764.78	\$8,921.40	\$17,843.38	33.33%	\$26,764.78	\$0.00
		100-4310-2210 Life Insurance	\$4,675.98	\$1,558.56	\$3,117.42	33.33%	\$4,675.98	\$0.00
		100-4310-2220 Disability Insurance, LTD & STD	\$2,721.63	\$819.83	\$1,901.80	30.12%	\$2,721.63	\$0.00
		100-4310-2230 Worker's Comp	\$11,114.52	\$4,914.63	\$6,199.89	44.22%	\$11,114.52	\$0.00
		100-4310-2300 Health Insurance	\$60,062.72	\$23,936.80	\$36,125.92	39.85%	\$60,062.72	\$0.00
		100-4310-2310 Dental Insurance	\$2,024.40	\$674.80	\$1,349.60	33.33%	\$2,024.40	\$0.00
		100-4310-3430 IT Services	\$2,300.00	\$0.00	\$2,300.00	0.00%	\$2,300.00	\$0.00
		100-4310-3500 Advertising Services	\$195.00	\$0.00	\$195.00	0.00%	\$195.00	\$0.00
		100-4310-4070 Grant - VML Risk Management Expense	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4310-4080 Grant Exp - DCJS LOLE/Byrne	\$5,179.00	\$3,074.00	\$2,105.00	59.36%	\$5,179.00	\$0.00
		100-4310-4150 Grant Exp - Police Other	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4310-5040 Phone Service	\$4,196.00	\$1,058.77	\$3,137.23	25.23%	\$4,196.00	\$0.00
		100-4310-5200 Travel-Mileage, Parking & Tolls	\$500.00	\$110.00	\$390.00	22.00%	\$500.00	\$0.00
		100-4310-5205 Travel-Mileage, Parking & Tolls - Pol. Acad.	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4310-5210 Travel-Lodging & Meals	\$500.00	\$0.00	\$500.00	0.00%	\$500.00	\$0.00
		100-4310-5215 Travel-Lodging & Meals - Pol. Acad.	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4310-5230 Education	\$3,000.00	\$2,513.00	\$487.00	83.77%	\$3,000.00	\$0.00
		100-4310-5240 Books & Subscriptions	\$200.00	\$0.00	\$200.00	0.00%	\$200.00	\$0.00
		100-4310-5310 Insurance, Public Official Liability	\$5,500.00	\$3,029.94	\$2,470.06	55.09%	\$5,500.00	\$0.00
		100-4310-5330 Insurance, LODA	\$5,650.00	\$2,802.50	\$2,847.50	49.60%	\$5,650.00	\$0.00
		100-4310-6000 Office Supplies	\$3,300.00	\$1,350.33	\$1,949.67	40.92%	\$3,300.00	\$0.00
		100-4310-6050 Uniforms Expense	\$6,000.00	\$955.20	\$5,044.80	15.92%	\$6,000.00	\$0.00
		100-4310-6125 Departmental Supplies & Equipment - Police	\$10,000.00	\$1,035.47	\$8,964.53	10.35%	\$13,350.00	\$3,350.00
		100-4310-6150 Comptr, Sftware & Electronics < \$5,000	\$0.00	\$2,540.61	(\$2,540.61)	0.00%	\$2,540.61	\$2,540.61
		100-4310-6175 Vehicles & Powered Equipment Fuel	\$20,000.00	\$6,549.24	\$13,450.76	32.75%	\$20,000.00	\$0.00
		100-4310-6200 Vehicle & Powered Equip. Supplies & Svcs	\$13,000.00	\$1,625.54	\$11,374.46	12.50%	\$13,000.00	\$0.00
		100-4310-6225 Repair & Maintenance Supplies Police	\$1,500.00	\$188.96	\$1,311.04	12.60%	\$1,500.00	\$0.00
		100-4310-7070 Vehicles & Equipment	\$83,482.00	\$2,372.00	\$81,110.00	2.84%	\$41,741.00	(\$41,741.00)
		Police Dept Expense Total	\$677,018.03	\$219,212.04	\$457,805.99	32%	\$641,167.64	(\$35,850.39)

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
	Dept: 4340							
		100-4340-1000 Regular Salaries & Wages-Code Enforcement	\$104,330.38	\$37,767.70	\$66,562.68	36.20%	\$104,330.38	\$0.00
		100-4340-1100 Regular Salaries & Wages OT Code Enf	\$1,067.90	\$120.15	\$947.75	11.25%	\$1,067.90	\$0.00
		100-4340-1200 Part Time Salaries Code Enforcement	\$4,400.00	\$0.00	\$4,400.00	0.00%	\$4,400.00	\$0.00
		100-4340-1300 PT Salaries Code Enforcement OT	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4340-2000 FICA Expense	\$8,399.57	\$2,769.32	\$5,630.25	32.97%	\$8,399.57	\$0.00
		100-4340-2100 SUI Expense	\$127.20	\$0.00	\$127.20	0.00%	\$127.20	\$0.00
		100-4340-2200 Retirement-ER VRS & ICMA-RC Contribution	\$7,818.06	\$2,606.00	\$5,212.06	33.33%	\$7,818.06	\$0.00
		100-4340-2210 Life Insurance	\$1,365.87	\$455.28	\$910.59	33.33%	\$1,365.87	\$0.00
		100-4340-2220 Disability Insurance, LTD & STD	\$793.66	\$179.50	\$614.16	22.62%	\$793.66	\$0.00
		100-4340-2230 Worker's Comp	\$457.65	\$192.14	\$265.51	41.98%	\$457.65	\$0.00
		100-4340-2300 Health Insurance	\$11,201.08	\$3,841.20	\$7,359.88	34.29%	\$11,201.08	\$0.00
		100-4340-2310 Dental Insurance	\$578.40	\$0.00	\$578.40	0.00%	\$578.40	\$0.00
		100-4340-2320 Vision Insurance	\$91.32	\$38.05	\$53.27	41.67%	\$91.32	\$0.00
		100-4340-3020 Maint Svc Contracts - Annual	\$800.00	\$0.00	\$800.00	0.00%	\$800.00	\$0.00
		100-4340-3025 Repair Maint & Inspect Contracted Svcs-Mowing/De	\$25,000.00	\$1,417.76	\$23,582.24	5.67%	\$25,000.00	\$0.00
		100-4340-3430 IT Services	\$3,600.00	\$162.00	\$3,438.00	4.50%	\$3,600.00	\$0.00
		100-4340-3450 Printing & Design Services	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4340-3500 Advertising Services	\$500.00	\$0.00	\$500.00	0.00%	\$500.00	\$0.00
		100-4340-3760 Cash Short & Over Code Enf	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4340-5040 Phone Service	\$1,140.00	\$380.00	\$760.00	33.33%	\$1,140.00	\$0.00
		100-4340-5110 Lease, Office Equipment	\$1,350.00	\$313.89	\$1,036.11	23.25%	\$1,350.00	\$0.00
		100-4340-5200 Travel-Mileage, Parking & Tolls	\$600.00	\$0.00	\$600.00	0.00%	\$600.00	\$0.00
		100-4340-5210 Travel-Lodging & Meals	\$600.00	\$0.00	\$600.00	0.00%	\$600.00	\$0.00
		100-4340-5220 Conference	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4340-5230 Education	\$1,000.00	\$0.00	\$1,000.00	0.00%	\$1,000.00	\$0.00
		100-4340-5240 Books & Subscriptions	\$1,000.00	\$0.00	\$1,000.00	0.00%	\$1,000.00	\$0.00
		100-4340-5250 Dues & Memberships	\$750.00	\$0.00	\$750.00	0.00%	\$750.00	\$0.00
		100-4340-6000 Office Supplies	\$2,500.00	\$0.00	\$2,500.00	0.00%	\$2,500.00	\$0.00
		100-4340-6075 Hand Tools, & Small Equipment	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4340-6150 Computer, Software & Electronics <\$10K	\$1,000.00	\$0.00	\$1,000.00	0.00%	\$1,000.00	\$0.00
		100-4340-6175 Vehicles & Powered Equipment Fuel	\$950.00	\$0.00	\$950.00	0.00%	\$950.00	\$0.00
		100-4340-6200 Vehicle & Powered Equip. Supplies & Svcs	\$1,000.00	\$0.00	\$1,000.00	0.00%	\$1,000.00	\$0.00
		Code Enforcement Expense Total	\$182,421.09	\$50,242.99	\$132,178.10	28%	\$182,421.09	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
	Dept: 4430							
		100-4430-1000 Regular Salaries & Wages-Public Works	\$220,741.87	\$82,201.14	\$138,540.73	37.24%	\$220,741.87	\$0.00
		100-4430-1100 Regular Salaries & Wages OT Pub Works	\$20,000.00	\$12,173.10	\$7,826.90	60.87%	\$18,000.00	(\$2,000.00)
		100-4430-1200 PT Salaries & Wages Pub Works	\$18,574.80	\$9,055.13	\$9,519.67	48.75%	\$18,574.80	\$0.00
		100-4430-1300 PT Salaries & Wages OT Pub Works	\$0.00	\$1,124.07	(\$1,124.07)	0.00%	\$2,000.00	\$2,000.00
		100-4430-1400 Seasonal Wages	\$11,440.00	\$0.00	\$11,440.00	0.00%	\$11,440.00	\$0.00
		100-4430-2000 FICA Expense	\$20,712.88	\$7,686.00	\$13,026.88	37.11%	\$20,712.88	\$0.00
		100-4430-2100 SUI Expense	\$339.20	\$0.00	\$339.20	0.00%	\$339.20	\$0.00
		100-4430-2200 Retirement-ER VRS & ICMA-RC Contribution	\$16,378.66	\$5,459.56	\$10,919.10	33.33%	\$16,378.66	\$0.00
		100-4430-2210 Life Insurance	\$2,861.46	\$953.84	\$1,907.62	33.33%	\$2,861.46	\$0.00
		100-4430-2220 Disability Insurance, LTD & STD	\$1,716.78	\$398.54	\$1,318.24	23.21%	\$1,716.78	\$0.00
		100-4430-2230 Worker's Comp	\$5,630.47	\$2,980.61	\$2,649.86	52.94%	\$5,630.47	\$0.00
		100-4430-2300 Health Insurance	\$42,180.13	\$16,175.05	\$26,005.08	38.35%	\$42,180.13	\$0.00
		100-4430-2310 Dental Insurance	\$2,046.00	\$682.00	\$1,364.00	33.33%	\$2,046.00	\$0.00
		100-4430-2320 Vision Insurance	\$91.32	\$38.05	\$53.27	41.67%	\$91.32	\$0.00
		100-4430-3020 Maint Svc Contracts	\$3,000.00	\$603.50	\$2,396.50	20.12%	\$3,000.00	\$0.00
		100-4430-3025 Repair Maint & Inspect Contracted Svcs	\$1,000.00	\$0.00	\$1,000.00	0.00%	\$1,000.00	\$0.00
		100-4430-3040 Grounds Maintenance	\$65,000.00	\$14,445.00	\$50,555.00	22.22%	\$65,000.00	\$0.00
		100-4430-3060 Landfill Disposal	\$2,000.00	\$1,823.00	\$177.00	91.15%	\$2,000.00	\$0.00
		100-4430-3070 Mosquito & Pest Control	\$8,500.00	\$5,165.00	\$3,100.00	63.53%	\$8,500.00	\$0.00
		100-4430-3200 Cleaning and Janitorial Services	\$15,655.00	\$5,130.00	\$10,525.00	32.77%	\$15,655.00	\$0.00
		100-4430-3430 IT Services	\$6,000.00	\$400.00	\$5,600.00	6.67%	\$6,000.00	\$0.00
		100-4430-3500 Advertising Services	\$500.00	\$0.00	\$500.00	0.00%	\$500.00	\$0.00
		100-4430-5010 Electric Service	\$56,100.00	\$18,651.55	\$37,448.45	33.25%	\$56,100.00	\$0.00
		100-4430-5020 Propane & Fuel Oil Exp	\$4,000.00	\$0.00	\$4,000.00	0.00%	\$4,000.00	\$0.00
		100-4430-5040 Phone Service	\$5,040.00	\$930.00	\$4,110.00	18.45%	\$5,040.00	\$0.00
		100-4430-5050 Internet & Cable Services	\$1,100.00	\$471.88	\$628.12	42.90%	\$1,100.00	\$0.00
		100-4430-5200 Travel-Mileage, Parking & Tolls	\$500.00	\$60.00	\$440.00	12.00%	\$500.00	\$0.00
		100-4430-5210 Travel-Lodging & Meals	\$500.00	\$0.00	\$500.00	0.00%	\$500.00	\$0.00
		100-4430-5230 Education	\$3,000.00	\$0.00	\$3,000.00	0.00%	\$3,000.00	\$0.00
		100-4430-5240 Books & Subscriptions	\$100.00	\$0.00	\$100.00	0.00%	\$100.00	\$0.00
		100-4430-5260 Employee Testing & Certification	\$225.00	\$0.00	\$225.00	0.00%	\$225.00	\$0.00
		100-4430-6000 Office Supplies	\$2,500.00	\$0.00	\$2,500.00	0.00%	\$2,500.00	\$0.00
		100-4430-6025 Janitorial & Kitchen Supplies	\$7,200.00	\$1,904.88	\$5,295.12	26.46%	\$7,200.00	\$0.00
		100-4430-6050 Uniforms Expense	\$2,000.00	\$289.94	\$1,710.06	14.50%	\$2,000.00	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
		100-4430-6075 Hand Tools, & Light Equipment	\$1,500.00	\$0.00	\$1,500.00	0.00%	\$1,500.00	\$0.00
		100-4430-6080 Safety Equipment	\$2,000.00	\$699.96	\$1,300.04	35.00%	\$2,000.00	\$0.00
		100-4430-6150 Comptr, Sftware & Electronics < \$5,000	\$4,500.00	\$3,859.98	\$640.02	85.78%	\$4,500.00	\$0.00
		100-4430-6175 Vehicles & Powered Equipment Fuel	\$14,251.60	\$4,095.97	\$10,155.63	28.74%	\$14,251.60	\$0.00
		100-4430-6200 Vehicle & Powered Equip. Supplies & Svcs	\$10,000.00	\$3,755.49	\$6,244.51	37.55%	\$10,000.00	\$0.00
		100-4430-6225 Repair & Maintenance Supplies Public Works	\$74,600.00	\$45,852.21	\$28,780.39	61.42%	\$104,600.00	\$30,000.00
		100-4430-6275 Beach Maint. & Safety Supplies & Svcs	\$50,000.00	\$3,554.55	\$46,445.45	7.11%	\$50,000.00	\$0.00
		Public Works Expense Total	\$703,485.17	\$250,620.00	\$452,662.77	36%	\$733,485.17	\$30,000.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
	Dept: 4730							
		100-4730-1000 Regular Salaries & Wages-Library	\$79,234.80	\$28,773.54	\$50,461.26	36.31%	\$79,234.80	\$0.00
		100-4730-1100 Regular Salaries & Wages OT Library	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4730-1200 PT Salaries & Wages Library	\$13,159.44	\$4,923.81	\$8,235.63	37.42%	\$13,159.44	\$0.00
		100-4730-2000 FICA Expense	\$7,068.16	\$2,398.06	\$4,670.10	33.93%	\$7,068.16	\$0.00
		100-4730-2100 SUI Expense	\$169.60	\$26.51	\$143.09	15.63%	\$169.60	\$0.00
		100-4730-2200 Retirement-ER VRS & ICMA-RC Contribution	\$5,858.71	\$1,952.84	\$3,905.87	33.33%	\$5,858.71	\$0.00
		100-4730-2210 Life Insurance	\$1,023.56	\$341.16	\$682.40	33.33%	\$1,023.56	\$0.00
		100-4730-2220 Disability Insurance, LTD & STD	\$609.73	\$140.74	\$468.99	23.08%	\$609.73	\$0.00
		100-4730-2230 Worker's Comp	\$54.45	\$20.34	\$34.11	37.36%	\$54.45	\$0.00
		100-4730-2300 Health Insurance	\$14,425.55	\$6,767.50	\$7,658.05	46.91%	\$14,425.55	\$0.00
		100-4730-2310 Dental Insurance	\$578.40	\$192.80	\$385.60	33.33%	\$578.40	\$0.00
		100-4730-3005 Program & Event Performers & Entertainers	\$4,000.00	\$229.21	\$3,770.79	5.73%	\$4,000.00	\$0.00
		100-4730-3025 Repair Maint & Inspect Contracted Svcs	\$1,000.00	\$530.84	\$469.16	53.08%	\$1,000.00	\$0.00
		100-4730-3200 Cleaning and Janitorial Services	\$9,100.00	\$2,700.00	\$6,400.00	29.67%	\$9,100.00	\$0.00
		100-4730-3430 IT Services	\$2,200.00	\$920.00	\$1,280.00	41.82%	\$2,200.00	\$0.00
		100-4730-3500 Advertising Services	\$500.00	\$119.40	\$380.60	23.88%	\$500.00	\$0.00
		100-4730-4090 Grant Exp - DEQ Litter Grant - Library	\$1,329.00	\$0.00	\$1,329.00	0.00%	\$1,329.00	\$0.00
		100-4730-5010 Electric Service	\$7,975.00	\$2,088.55	\$5,886.45	26.19%	\$7,975.00	\$0.00
		100-4730-5020 Propane & Fuel Oil Exp	\$3,737.25	\$0.00	\$3,737.25	0.00%	\$3,737.25	\$0.00
		100-4730-5050 Internet & Cable Services	\$1,500.00	\$471.88	\$1,028.12	31.46%	\$1,500.00	\$0.00
		100-4730-5110 Lease, Office Equipment	\$1,200.00	\$494.17	\$705.83	41.18%	\$1,200.00	\$0.00
		100-4730-5200 Travel-Mileage, Parking & Tolls	\$150.00	\$324.24	(\$174.24)	216.16%	\$324.24	\$174.24
		100-4730-5210 Travel-Lodging & Meals	\$560.00	\$0.00	\$560.00	0.00%	\$385.76	(\$174.24)
		100-4730-5220 Conference	\$400.00	\$50.00	\$350.00	12.50%	\$400.00	\$0.00
		100-4730-5230 Education	\$200.00	\$79.00	\$121.00	39.50%	\$200.00	\$0.00
		100-4730-5240 Books & Subscriptions - Professional	\$200.00	\$55.00	\$145.00	27.50%	\$200.00	\$0.00
		100-4730-5250 Dues & Memberships	\$500.00	\$45.00	\$455.00	9.00%	\$500.00	\$0.00
		100-4730-6000 Office Supplies	\$1,800.00	\$1,043.79	\$771.21	57.16%	\$1,800.00	\$0.00
		100-4730-6025 Janitorial & Kitchen Supplies	\$200.00	\$0.00	\$200.00	0.00%	\$200.00	\$0.00
		100-4730-6050 Uniforms - Library	\$200.00	\$0.00	\$200.00	0.00%	\$200.00	\$0.00
		100-4730-6100 Program & Event Supplies & Awards	\$1,500.00	\$215.41	\$1,284.59	14.36%	\$1,500.00	\$0.00
		100-4730-6125 Dept Sppls & Equip -Books, DVD's and CDs	\$17,500.00	\$4,831.12	\$12,668.88	27.61%	\$17,500.00	\$0.00
		100-4730-6150 Computer, Software & Electronics <\$10K	\$4,000.00	\$2,110.92	\$1,889.08	52.77%	\$4,000.00	\$0.00
		Total Library Expense	\$181,933.65	\$61,845.83	\$120,102.82	34%	\$181,933.65	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
	Dept: 4811							
		100-4811-1000 Regular Salaries & Wages-Planning	\$111,070.32	\$34,666.26	\$76,404.06	31.21%	\$111,070.32	\$0.00
		100-4811-1100 Regular Wages OT Planning	\$1,841.51	\$341.59	\$1,499.92	18.55%	\$1,631.51	(\$210.00)
		100-4811-1200 PT Salaries & Wages Planning	\$51,358.40	\$15,092.80	\$36,265.60	29.39%	\$51,358.40	\$0.00
		100-4811-1300 PT Wages Planning - OT	\$0.00	\$210.00	(\$210.00)	0.00%	\$210.00	\$210.00
		100-4811-2000 FICA Expense	\$12,566.67	\$3,821.13	\$8,745.54	30.41%	\$12,566.67	\$0.00
		100-4811-2100 SUI Expense	\$180.73	\$2.04	\$178.69	1.13%	\$180.73	\$0.00
		100-4811-2200 Retirement-ER VRS & ICMA-RC Contribution	\$10,964.17	\$2,330.91	\$8,633.26	21.26%	\$10,964.17	\$0.00
		100-4811-2210 Life Insurance	\$2,100.16	\$407.23	\$1,692.93	19.39%	\$2,100.16	\$0.00
		100-4811-2220 Disability Insurance, LTD & STD	\$1,247.97	\$158.18	\$1,089.79	12.67%	\$1,247.97	\$0.00
		100-4811-2230 Worker's Comp	\$95.32	\$42.05	\$53.27	44.11%	\$95.32	\$0.00
		100-4811-2300 Health Insurance	\$21,638.33	\$5,200.28	\$16,438.05	24.03%	\$21,638.33	\$0.00
		100-4811-2310 Dental Insurance	\$867.60	\$192.80	\$674.80	22.22%	\$867.60	\$0.00
		100-4811-3025 Repair Maint & Inspect Contracted Svcs	\$0.00	\$567.74	(\$567.74)	0.00%	\$799.50	\$799.50
		100-4811-3410 Management Consulting	\$50,000.00	\$22,222.50	\$27,777.50	44.45%	\$50,000.00	\$0.00
		100-4811-3430 IT Services	\$3,500.00	\$3,052.56	\$447.44	87.22%	\$3,500.00	\$0.00
		100-4811-3450 Printing & Design Services	\$300.00	\$0.00	\$300.00	0.00%	\$300.00	\$0.00
		100-4811-3500 Advertising Services	\$10,000.00	\$1,636.28	\$8,363.72	16.36%	\$10,000.00	\$0.00
		100-4811-4150 Grant Expense - Planning	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		100-4811-5040 Phone Service	\$2,340.00	\$460.80	\$1,879.20	19.69%	\$2,340.00	\$0.00
		100-4811-5110 Lease - Equipment	\$1,351.00	\$313.91	\$1,037.09	23.24%	\$551.50	(\$799.50)
		100-4811-5200 Travel-Mileage, Parking & Tolls	\$1,000.00	\$111.98	\$888.02	11.20%	\$1,000.00	\$0.00
		100-4811-5210 Travel-Lodging & Meals	\$2,000.00	\$0.00	\$2,000.00	0.00%	\$2,000.00	\$0.00
		100-4811-5220 Conference	\$500.00	\$0.00	\$500.00	0.00%	\$500.00	\$0.00
		100-4811-5230 Education	\$5,000.00	\$0.00	\$5,000.00	0.00%	\$5,000.00	\$0.00
		100-4811-5240 Books & Subscriptions	\$350.00	\$0.00	\$350.00	0.00%	\$350.00	\$0.00
		100-4811-5250 Dues & Memberships	\$600.00	\$433.00	\$167.00	72.17%	\$600.00	\$0.00
		100-4811-5260 Employee Testing & Certification	\$250.00	\$0.00	\$250.00	0.00%	\$250.00	\$0.00
		100-4811-6000 Office Supplies	\$3,000.00	\$304.06	\$2,695.94	10.14%	\$3,000.00	\$0.00
		100-4811-6150 Computer, Software & Electronics <\$10K	\$7,000.00	\$224.85	\$6,775.15	3.21%	\$7,000.00	\$0.00
		Total Planning/Zoning Expense	\$301,122.18	\$91,792.95	\$209,329.23	30%	\$301,122.18	\$0.00
		General Fund Revenue less Expenditures	\$0.00	(\$115,490.43)	\$130,339.90	30%	\$0.00	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
Fund: 110 GENERAL CAPITAL PROJECTS FUND								
	Dept:							
		110-3700-2200 Grant - USDA Rural Development	\$20,920.00	\$0.00	(\$20,920.00)	0.00%	\$3,000.00	(\$17,920.00)
		110-3800-4000 Grant - VDOT Roads, Trails & Sidewalks	\$703,483.00	\$0.00	(\$703,483.00)	0.00%	\$703,483.00	\$0.00
		110-3850-2000 Grant Other	\$21,750.00	\$0.00	(\$21,750.00)	0.00%	\$76,750.00	\$55,000.00
		110-3900-6000 Reappropriation Gen Capital Fund	\$166,255.00	\$0.00	(\$166,255.00)	0.00%	\$166,255.00	\$0.00
		110-3950-1000 Loan Proceeds Previous Year	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		110-3950-2000 Transfer from Gen Fund for Capital 6%	\$215,830.99	\$0.00	(\$215,830.99)	0.00%	\$215,830.99	\$0.00
		110-3950-2050 Transfer from Gen Fund Meals Tax 5%	\$64,000.00	\$38,358.13	(\$25,641.87)	59.93%	\$75,000.00	\$11,000.00
		110-3950-2100 Loan Proceeds USDA Rural Dvlpmnt	\$38,851.00	\$0.00	(\$38,851.00)	0.00%	\$9,000.00	(\$29,851.00)
		110-3950-8130 Transfer from Special Activities Fund	\$584,000.00	\$0.00	(\$584,000.00)	0.00%	\$804,000.00	\$220,000.00
		110-3950-8520 Transfer from Sanitation Fund	\$160,224.00	\$0.00	(\$160,224.00)	0.00%	\$160,224.00	\$0.00
		Total GC Fund Revenue	\$1,975,313.99	\$38,358.13	(\$1,936,955.86)	2%	\$2,213,542.99	\$238,229.00
	Dept: 4121							
		110-4121-8100 Transfer to Fund Balance	\$82,581.99	\$0.00	\$82,581.99	0.00%	\$82,581.99	\$0.00
		Total TMGR GC Fund Expenditures	\$82,581.99	\$0.00	\$0.00	0%	\$82,581.99	\$0.00
	Dept: 4430							
		110-4430-7010 Buildings & Improvements	\$754,000.00	\$81,405.85	\$672,594.15	10.80%	\$1,029,000.00	\$275,000.00
		110-4430-7020 Infrastructure-Open Space, Parks & Outdoor Equip	\$60,200.00	\$30,414.00	\$29,786.00	50.52%	\$60,200.00	\$0.00
		110-4430-7040 Infrastructure - Parking Lots	\$20,000.00	\$0.00	\$20,000.00	0.00%	\$20,000.00	\$0.00
		110-4430-7050 Infrastructure-Streets & Walkways	\$929,922.00	\$10,833.00	\$919,089.00	1.16%	\$929,922.00	\$0.00
		110-4430-7060 Infrastructure-Stormwater System	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		110-4430-7070 Vehicles & Equipment	\$59,770.00	\$24,228.48	\$35,541.52	40.54%	\$24,228.48	(\$35,541.52)
		110-4430-7080 Computers, Software & Electronic Equip PW	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		110-4430-7999 Capital Project Contingencies	\$68,840.00	\$0.00	\$68,840.00	0.00%	\$55,610.52	(\$13,229.48)
		Total General Capital Fund Public Works Expenditures	\$1,892,732.00	\$146,881.33	\$1,745,850.67	8%	\$2,118,961.00	\$226,229.00
		110-4811-7080 Computers, Software & Electronic Equip Planning	\$0.00	\$0.00	\$0.00	0.00%	\$12,000.00	\$12,000.00
		Total General Capital Fund Planning Expenditures	\$0.00	\$0.00	\$0.00	0%	\$12,000.00	\$12,000.00
		GC Fund Revenue Less Expenditures	\$0.00	(\$108,523.20)	\$0.00	5%	\$0.00	\$0.00
Fund: 120 GENERAL DEBT SERVICE FUND								
	Dept:							

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
		120-3950-2100 Transfer from Gen Fund for GF Debt	\$144,620.90	\$71,672.66	(\$72,948.24)	49.56%	\$144,620.90	\$0.00
		120-3950-2510 Transfer from Gen Fund for Harb Debt	\$104,950.25	\$32,825.12	(\$72,125.13)	31.28%	\$104,950.25	\$0.00
		Debt Service Revenue Total	\$249,571.15	\$104,497.78	(\$145,073.37)	42%	\$249,571.15	\$0.00
	Dept: 4121							
		120-4121-3730 Bank & Trustee Service Fees - Debt Service	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		120-4121-6800 Debt Service Principal - TMgr	\$99,853.29	\$61,804.80	\$38,048.49	61.90%	\$99,853.29	\$0.00
		120-4121-6850 Debt Service Interest - TMgr	\$19,738.61	\$9,867.86	\$9,870.75	49.99%	\$19,738.61	\$0.00
		120-4121-8510 Transfer to Harbor Fund for Debt Service	\$104,950.25	\$32,825.12	\$72,125.13	31.28%	\$104,950.25	\$0.00
		Town Manager DS Total	\$224,542.15	\$104,497.78	\$120,044.37	47%	\$224,542.15	\$0.00
	Dept: 4310							
		120-4310-6800 Debt Service Principal - Police Dept	\$19,407.65	\$0.00	\$19,407.65	0.00%	\$19,407.65	\$0.00
		120-4310-6850 Debt Service Interest - Police Dept	\$1,741.80	\$0.00	\$1,741.80	0.00%	\$1,741.80	\$0.00
		Police dept DS Total	\$21,149.45	\$0.00	\$0.00	0%	\$21,149.45	\$0.00
	Dept: 4340							
		120-4340-6800 Debt Service Principal Code Enforcement	\$589.42	\$0.00	\$589.42	0.00%	\$589.42	\$0.00
		120-4340-6850 Debt Service Interest - Code Enf	\$69.36	\$0.00	\$69.36	0.00%	\$69.36	\$0.00
		Code Enf Debt Svc Total	\$658.78	\$0.00	\$0.00	0%	\$658.78	\$0.00
	Dept: 4430							
		120-4430-6800 Debt Service Principal - PWrks	\$2,946.52	\$0.00	\$2,946.52	0.00%	\$2,946.52	\$0.00
		120-4430-6850 Debt Service Interest - P Wrks	\$274.25	\$0.00	\$274.25	0.00%	\$274.25	\$0.00
		Public Works DS Total	\$3,220.77	\$0.00	\$0.00	0%	\$3,220.77	\$0.00
		Debt Service Fund Revenue Less Expenditures	\$0.00	\$0.00	(\$265,117.74)		\$0.00	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
Fund: 130 GENERAL SPECIAL ACTIVITIES FUND								
	Dept:							
		130-3650-6000 Recovery Town Mgr - Misc	\$16,425.00	\$16,084.72	(\$340.28)	97.93%	\$16,425.00	\$0.00
		130-3800-3000 Grant-Fire Program Funds (Passthru)	\$15,000.00	\$15,000.00	\$0.00	100.00%	\$15,000.00	\$0.00
		130-3800-7000 Grant-VA State Promotion of the Arts Passthru	\$4,500.00	\$4,500.00	\$0.00	100.00%	\$4,500.00	\$0.00
		130-3800-8000 Grant - Friends of the Library	\$6,000.00	\$3,070.31	(\$2,929.69)	51.17%	\$6,000.00	\$0.00
		130-3800-9000 Grant Parks/Rec Faciliies & Equipment - CCP	\$7,817.48	\$0.00	(\$7,817.48)	0.00%	\$7,817.48	\$0.00
		130-3800-9910 Federal Grant - DHCD CDBG Small Bus Rcvry	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		130-3800-9920 Federal Grant - ARPA	\$0.00	\$528,615.00	\$528,615.00	0.00%	\$528,615.00	\$528,615.00
		130-3850-2000 Reappropriate Grant Funding Previous Year	\$900,985.00	\$372,370.00	(\$528,615.00)	0.00%	\$372,370.00	(\$528,615.00)
		130-3950-2000 Reappropriate Grant Funding Prior Year	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		Special Activities Fund Revenue Total	\$950,727.48	\$567,270.03	(\$11,087.45)	60%	\$950,727.48	\$0.00
	Dept: 4121							\$0.00
		130-4121-4010 Grant Exp - Arts Enter Passthru	\$4,500.00	\$4,500.00	\$0.00	100.00%	\$4,500.00	\$0.00
		130-4121-4020 Grant Exp- Fire Dept Passthru	\$15,000.00	\$15,000.00	\$0.00	100.00%	\$15,000.00	\$0.00
		130-4121-4030 Grant Exp-Northampton Cnty Tourism Infrstr	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		130-4121-4125 Grant or Donation Misc. Passthru incl. PPEA	\$16,425.00	\$14,006.82	\$2,418.18	85.28%	\$16,425.00	\$0.00
		130-4121-4130 DHCD CDBG Small Business Rcvry Grant Exp	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		130-4121-4150 Federal Grant Exp - ARPA	\$316,985.00	\$17,135.40	\$299,849.60	5.41%	\$96,985.00	(\$220,000.00)
		130-4121-8110 Transfer to Capital Projects Fund 110	\$584,000.00	\$0.00	\$584,000.00	0.00%	\$804,000.00	\$220,000.00
		Town Manger SA Fund Total	\$936,910.00	\$50,642.22	\$886,267.78	5%	\$936,910.00	\$0.00
	Dept: 4430							
		130-4430-4110 Grant Exp - Citizens for Central Park	\$7,817.48	\$7,817.48	\$0.00	100.00%	\$7,817.48	\$0.00
		Public Works SA Fund Total	\$7,817.48	\$7,817.48	\$0.00	100%	\$7,817.48	\$0.00
	Dept: 4730							
		130-4730-4110 Grant Exp- Friends of the Library	\$6,000.00	\$0.00	\$6,000.00	0.00%	\$6,000.00	\$0.00
		Library SP Fund Total	\$6,000.00	\$0.00	\$0.00	0%	\$6,000.00	\$0.00
		SA Fund Revenue Less Expenditures	\$0.00	\$508,810.33	(\$897,355.23)	33%	(\$0.00)	(\$0.00)

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
Fund: 501 PUBLIC UTILITIES FUND								
	Dept:							
		501-3100-1201 Connection, Plumbing Permit Water	\$4,000.00	\$1,150.00	(\$2,850.00)	28.75%	\$4,000.00	\$0.00
		501-3100-1202 Connection, Plumbing Permit Sewer	\$4,000.00	\$1,150.00	(\$2,850.00)	28.75%	\$4,000.00	\$0.00
		501-3100-5360 Utility Permit (Main to Meter)	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-3150-1501 Miscellaneous	\$8,000.00	\$120.00	(\$7,880.00)	1.50%	\$8,000.00	\$0.00
		501-3150-1502 Septage Services Revenue - WWTP	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-3300-1000 Interest Earned on Bank Deposits - Util	\$0.00	\$12.87	\$12.87	0.00%	\$12.87	\$12.87
		501-3300-2000 Dividends & Int. on Investments - Util	\$1,400.00	\$18,954.60	\$17,554.60	1,353.90%	\$56,863.80	\$55,463.80
		501-3500-1501 Water Sales	\$650,000.00	\$226,906.68	(\$423,093.32)	34.91%	\$650,000.00	\$0.00
		501-3500-1502 Sewer Charges	\$1,170,000.00	\$402,316.81	(\$767,683.19)	34.39%	\$1,170,000.00	\$0.00
		501-3500-1800 Sale of Surplus Equipment & Misc.	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-3500-3501 Penalties & Interest - Water Charges	\$8,144.43	\$3,240.83	(\$4,903.60)	39.79%	\$8,144.43	\$0.00
		501-3500-3502 Penalties & Interest Wastewater Charges	\$15,378.16	\$6,203.00	(\$9,175.16)	40.34%	\$15,378.16	\$0.00
		501-3500-4501 Connection Fees - Bay Creek Water	\$29,750.00	\$16,625.00	(\$13,125.00)	55.88%	\$45,718.75	\$15,968.75
		501-3500-4502 Connection Fees - Bay Creek Sewer	\$29,750.00	\$16,625.00	(\$13,125.00)	55.88%	\$45,718.75	\$15,968.75
		501-3500-5501 Connection Fees - Historic Cape Charles Water	\$8,750.00	\$2,625.00	(\$6,125.00)	30.00%	\$7,875.00	(\$875.00)
		501-3500-5502 Connection Fees - Historic Cape Charles Sewer	\$8,750.00	\$2,625.00	(\$6,125.00)	30.00%	\$7,875.00	(\$875.00)
		501-3500-6501 Facility Fees, Rest. - Bay Creek Water	\$136,000.00	\$76,000.00	(\$60,000.00)	55.88%	\$136,000.00	\$0.00
		501-3500-6502 Facility Fees, Restr. - Bay Creek Sewer	\$224,400.00	\$125,400.00	(\$99,000.00)	55.88%	\$224,400.00	\$0.00
		501-3500-7501 Facility Fees, Restr.- Historic Cape Charles Water	\$40,000.00	\$10,760.00	(\$29,240.00)	26.90%	\$40,000.00	\$0.00
		501-3500-7502 Facility Fees, Restr. - Historic Cape Charles Se	\$66,000.00	\$17,754.00	(\$48,246.00)	26.90%	\$66,000.00	\$0.00
		501-3600-6000 Utility Fund Transfer from Fund Balance	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-3650-4000 Recovery Water & Sewer Misc. charges	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-3800-1000 VDH Grant	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-3800-2001 USDA Grant Water	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-3800-2002 USDA Grant Sewer	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-3900-6000 Appropriation from Fund Balance	\$312,466.09	\$0.00	(\$312,466.09)	0.00%	\$312,466.09	\$0.00
		501-3950-1000 Loan Proceeds previous year	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-3950-1050 Loan Proceeds Current Year	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-3950-2101 USDA Loan Proceeds Water	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-3950-2102 USDA Loan Proceeds Sewer	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-3950-2100 Transfer from General Fund	\$0.00	\$0.00	\$0.00	1.00%	\$373,683.24	\$373,683.24
			\$2,716,788.68	\$928,468.79	(\$1,788,319.89)	34%	\$3,176,136.09	\$459,347.41

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
	Dept: 4500							
		501-4500-1000 Regular Salaries & Wages-Utility Admin	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-1600 Bonus & Increase Pool Util Fund	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-1800 Allocated Wages	\$22,674.79	\$7,558.28	\$15,116.51	33.33%	\$22,674.79	\$0.00
		501-4500-2000 FICA Expense	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-2100 SUI Expense	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-2200 Retirement-ER VRS & ICMA-RC Contribution	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-2210 Life Insurance	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-2220 Disability Insurance, LTD & STD	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-2230 Worker's Comp	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-2300 Health Insurance ER Expense	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-2310 Dental Insurance ER Expense	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-2320 Vision Insurance ER Expense	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-2325 AFLAC Insurance Premiums - Town portion	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-2340 Employee Assist Program	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-2345 Employee/Volunteer Testing	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-2360 Staff & Volunteer Appreciation	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-2800 Allocated Benefits	\$6,273.75	\$2,220.44	\$4,053.31	35.39%	\$6,273.75	\$0.00
		501-4500-3410 Professional Services/Consulting	\$157,260.00	\$12,956.55	\$144,303.45	8.24%	\$157,260.00	\$0.00
		501-4500-3430 IT Services	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-3450 Printing & Design Services	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-3500 Advertising Services	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-5040 Phone Services	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-5220 Conference	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-5230 Education	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-5240 Books & Subscriptions	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-5250 Dues & Memberships	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-6000 Office Supplies	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-6150 Computer, Software & Electronics <\$10K	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4500-6900 Contingency Fund Expense Util Fund	\$105,735.00	\$0.00	\$105,735.00	0.00%	\$150,000.00	\$44,265.00
		501-4500-8100 Transfer to Fund Balance	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
			\$291,943.54	\$22,735.27	\$269,208.27	8%	\$336,208.54	\$44,265.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
	Dept: 4501							
		501-4501-1000 Regular Salaries & Wages-Water	\$187,132.95	\$57,838.22	\$129,294.73	30.91%	\$172,415.75	(\$14,717.20)
		501-4501-1100 Regular Salaries & Wages OT-Water	\$2,500.00	\$1,202.82	\$1,297.18	48.11%	\$2,500.00	\$0.00
		501-4501-1200 PT Salaries - Water	\$7,000.00	\$15,597.67	(\$8,597.67)	222.82%	\$18,717.20	\$11,717.20
		501-4501-1300 Part Time Wages Water - OT	\$0.00	\$11.59	(\$11.59)	0.00%	\$11.59	\$11.59
		501-4501-2000 FICA Expense	\$14,506.92	\$5,531.99	\$8,974.93	38.13%	\$14,506.92	\$0.00
		501-4501-2100 SUI Expense	\$127.20	\$22.37	\$104.83	17.59%	\$127.20	\$0.00
		501-4501-2200 Retirement-ER VRS & ICMA-RC Contribution	\$13,984.94	\$3,840.36	\$10,144.58	27.46%	\$13,984.94	\$0.00
		501-4501-2210 Life Insurance	\$2,443.26	\$671.04	\$1,772.22	27.46%	\$2,443.26	\$0.00
		501-4501-2220 Disability Insurance, LTD & STD	\$1,432.32	\$265.15	\$1,167.17	18.51%	\$1,432.32	\$0.00
		501-4501-2230 Worker's Comp	\$4,574.24	\$1,922.25	\$2,651.99	42.02%	\$4,574.24	\$0.00
		501-4501-2300 Health Insurance	\$30,366.95	\$6,622.80	\$23,744.15	21.81%	\$30,366.95	\$0.00
		501-4501-2310 Dental Insurance	\$1,156.80	\$289.20	\$867.60	25.00%	\$1,156.80	\$0.00
		501-4501-2320 Vision Insurance	\$91.32	\$38.05	\$53.27	41.67%	\$91.32	\$0.00
		501-4501-2325 AFLAC Insurance Premiums - Town portion	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-2340 Employee Assist Program	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-2345 Employee/Volunteer Testing	\$350.00	\$0.00	\$350.00	0.00%	\$350.00	\$0.00
		501-4501-2360 Staff & Volunteer Appreciation	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-3000 Contract Labor	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-3020 Maint Svc Contracts - Annual	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-3025 Repair Maint & Inspect Contracted Svcs	\$6,000.00	\$0.00	\$6,000.00	0.00%	\$6,000.00	\$0.00
		501-4501-3060 Landfill Disposal	\$0.00	\$157.50	(\$157.50)	0.00%	\$157.50	\$157.50
		501-4501-3350 Water Sampling	\$11,000.00	\$2,618.08	\$8,381.92	23.80%	\$11,000.00	\$0.00
		501-4501-3420 Engineering & Architect Svcs Water	\$51,736.00	\$14,683.00	\$37,053.00	28.38%	\$55,236.00	\$3,500.00
		501-4501-3430 IT Services	\$1,000.00	\$0.00	\$1,000.00	0.00%	\$1,000.00	\$0.00
		501-4501-3500 Advertising Services	\$600.00	\$858.08	(\$258.08)	143.01%	\$1,100.00	\$500.00
		501-4501-3730 Bank Service Charges	\$52.00	\$0.00	\$52.00	0.00%	\$52.00	\$0.00
		501-4501-4150 Grant Exp - Water Other	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-5000 Refund - Tourism Zone Connection Fees Water	\$3,000.00	\$0.00	\$3,000.00	0.00%	\$0.00	(\$3,000.00)
		501-4501-5010 Electric Service	\$24,684.00	\$8,871.84	\$15,812.16	35.94%	\$26,615.52	\$1,931.52
		501-4501-5020 Propane & Fuel Oil Exp	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-5040 Phone Services	\$2,940.00	\$390.02	\$2,549.98	13.27%	\$2,940.00	\$0.00
		501-4501-5050 Internet & Cable Services	\$1,100.00	\$471.88	\$628.12	42.90%	\$1,100.00	\$0.00
		501-4501-5090 Lease, Right of Way	\$5,287.00	\$0.00	\$5,287.00	0.00%	\$5,287.00	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
		501-4501-5100 Lease, Vehicles & Equipment	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-5200 Travel-Mileage, Parking & Tolls	\$240.00	\$41.94	\$198.06	17.48%	\$240.00	\$0.00
		501-4501-5210 Travel-Lodging & Meals	\$500.00	\$0.00	\$500.00	0.00%	\$500.00	\$0.00
		501-4501-5220 Conference	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-5230 Education	\$500.00	\$0.00	\$500.00	0.00%	\$500.00	\$0.00
		501-4501-5240 Books & Subscriptions	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-5250 Dues & Memberships	\$400.00	\$400.00	\$0.00	100.00%	\$400.00	\$0.00
		501-4501-5260 Employee Testing & Certification	\$400.00	\$0.00	\$400.00	0.00%	\$400.00	\$0.00
		501-4501-5300 Insurance, Property & General Liability	\$9,200.00	\$5,107.60	\$4,092.40	55.52%	\$9,200.00	\$0.00
		501-4501-5340 Licensing	\$4,000.00	\$4,320.00	(\$320.00)	108.00%	\$13,320.00	\$9,320.00
		501-4501-5350 Fines & Penalties	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-6000 Office Supplies	\$1,000.00	\$329.23	\$670.77	32.92%	\$1,000.00	\$0.00
		501-4501-6025 Janitorial & Kitchen Supplies	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-6050 Uniforms Expense	\$1,000.00	\$0.00	\$1,000.00	0.00%	\$1,000.00	\$0.00
		501-4501-6075 Hand Tools, & Small Equipment	\$1,500.00	\$260.80	\$1,239.20	17.39%	\$1,500.00	\$0.00
		501-4501-6080 Safety Equipment	\$3,000.00	\$0.00	\$3,000.00	0.00%	\$3,000.00	\$0.00
		501-4501-6150 Computer, Software & Electronics <\$10K	\$500.00	\$0.00	\$500.00	0.00%	\$500.00	\$0.00
		501-4501-6175 Vehicles & Powered Equipment Fuel	\$62.25	\$1,968.36	(\$1,906.11)	3,162.02%	\$6,000.00	\$5,937.75
		501-4501-6200 Vehicle & Powered Equip. Supplies & Svcs	\$2,000.00	\$0.00	\$2,000.00	0.00%	\$2,000.00	\$0.00
		501-4501-6225 Repair & Maintenance Supplies Water	\$70,000.00	\$18,957.06	\$51,042.94	27.08%	\$70,000.00	\$0.00
		501-4501-6300 Chemical Supplies	\$73,000.00	\$28,684.21	\$44,315.79	39.29%	\$73,000.00	\$0.00
		501-4501-6325 Laboratory Supplies	\$2,900.00	\$0.00	\$2,900.00	0.00%	\$2,900.00	\$0.00
		501-4501-6800 Debt Service - Principal Payment W	\$85,958.58	\$0.00	\$85,958.58	0.00%	\$85,958.58	\$0.00
		501-4501-6850 Debt Service Interest Water	\$29,071.57	\$14,399.54	\$14,672.03	49.53%	\$29,071.57	\$0.00
		501-4501-7070 Vehicles & Equipment CAPITAL BUDGET	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-7080 Computers, Software & Electronics <\$10K	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-7090 Infrastructure - Waterlines, Tanks & Wells	\$60,000.00	\$0.00	\$60,000.00	0.00%	\$60,000.00	\$0.00
		501-4501-7095 Work in Progress CAPITAL BUDGET	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-7100 Depreciation Expense - Utility Fund	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4501-8000 Reserve for Plant Expansion - Facility Fees	\$176,000.00	\$0.00	\$176,000.00	0.00%	\$176,000.00	\$0.00
		501-4501-8100 Water Rate Increase Reserve - Future year	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		Water Plant Total	\$894,298.30	\$196,372.65	\$697,925.65	22%	\$909,656.66	\$15,358.36

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
	Dept: 4502							
		501-4502-1000 Regular Salaries & Wages-Sewer	\$198,546.21	\$72,772.33	\$125,773.88	36.65%	\$198,546.21	\$0.00
		501-4502-1100 Regular Salaries & Wages OT-Sewer	\$2,500.00	\$1,363.64	\$1,136.36	54.55%	\$3,545.46	\$1,045.46
		501-4502-2000 FICA Expense	\$15,380.03	\$5,467.14	\$9,912.89	35.55%	\$15,460.01	\$79.98
		501-4502-2100 SUI Expense	\$148.40	\$42.41	\$105.99	28.58%	\$148.40	\$0.00
		501-4502-2200 Retirement-ER VRS & ICMA-RC Contribution	\$14,952.37	\$4,944.52	\$10,007.85	33.07%	\$14,952.37	\$0.00
		501-4502-2210 Life Insurance	\$2,612.28	\$863.84	\$1,748.44	33.07%	\$2,612.28	\$0.00
		501-4502-2220 Disability Insurance, LTD & STD	\$1,523.13	\$345.53	\$1,177.60	22.69%	\$1,523.13	\$0.00
		501-4502-2230 Worker's Comp	\$1,911.81	\$733.96	\$1,177.85	38.39%	\$1,911.81	\$0.00
		501-4502-2300 Health Insurance	\$30,366.95	\$9,597.80	\$20,769.15	31.61%	\$30,366.95	\$0.00
		501-4502-2310 Dental Insurance	\$1,467.60	\$513.30	\$954.30	34.98%	\$1,467.60	\$0.00
		501-4502-2320 Vision Insurance	\$91.32	\$38.05	\$53.27	41.67%	\$91.32	\$0.00
		501-4502-2325 AFLAC Insurance Premiums - Town portion	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4502-2340 Employee Assist Program	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4502-2345 Employee/Volunteer Testing	\$45.00	\$0.00	\$45.00	0.00%	\$45.00	\$0.00
		501-4502-2360 Staff & Volunteer Appreciation	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4502-3000 Contract Labor	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4502-3010 Vehcl & Equip Repairs, Supplies	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4502-3020 Maint Svc Contracts - Annual	\$22,300.00	\$4,385.63	\$17,914.37	19.67%	\$22,300.00	\$0.00
		501-4502-3025 Repair Maint & Inspect Contracted Svcs	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4502-3040 Grounds Maintenance	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4502-3050 Waste Removal	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4502-3060 Landfill Disposal - Sludge	\$42,000.00	\$124,496.34	(\$82,496.34)	34.69%	\$255,796.34	\$213,796.34
		501-4502-3200 Cleaning and Janitorial Services	\$2,600.00	\$900.00	\$1,700.00	34.62%	\$2,600.00	\$0.00
		501-4502-3350 Water Sampling	\$21,000.00	\$9,476.45	\$11,523.55	45.13%	\$28,429.35	\$7,429.35
		501-4502-3420 Engineering & Architect Svcs WW	\$59,564.00	\$24,337.64	\$35,226.36	40.86%	\$113,012.92	\$53,448.92
		501-4502-3430 IT Services	\$7,000.00	\$0.00	\$7,000.00	0.00%	\$7,000.00	\$0.00
		501-4502-3500 Advertising Services	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4502-3730 Bank Service Charges	\$1,550.00	\$0.00	\$1,550.00	0.00%	\$1,550.00	\$0.00
		501-4502-4150 Grant Exp - Sewer Other	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4502-5010 Electric Service	\$105,357.45	\$37,929.65	\$67,427.80	36.00%	\$113,788.95	\$8,431.50
		501-4502-5040 Phone Services	\$8,500.00	\$2,359.83	\$6,140.17	27.76%	\$8,500.00	\$0.00
		501-4502-5050 Internet & Cable Services	\$600.00	\$0.00	\$600.00	0.00%	\$600.00	\$0.00
		501-4502-5060 Alarm & Security Monitoring Services	\$650.00	\$0.00	\$650.00	0.00%	\$650.00	\$0.00
		501-4502-5090 Lease, Right of Way	\$4,000.00	\$0.00	\$4,000.00	0.00%	\$4,000.00	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
		501-4502-5100 Lease, Vehicles & Equipment	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4502-5200 Travel-Mileage, Parking & Tolls	\$1,000.00	\$249.00	\$751.00	24.90%	\$1,000.00	\$0.00
		501-4502-5210 Travel-Lodging & Meals	\$500.00	\$0.00	\$500.00	0.00%	\$500.00	\$0.00
		501-4502-5220 Conference	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4502-5230 Education	\$2,000.00	\$650.00	\$1,350.00	32.50%	\$2,000.00	\$0.00
		501-4502-5250 Dues & Memberships	\$850.00	\$0.00	\$850.00	0.00%	\$850.00	\$0.00
		501-4502-5260 Employee Testing & Certification	\$450.00	\$0.00	\$450.00	0.00%	\$450.00	\$0.00
		501-4502-5300 Insurance, Property & General Liability	\$35,060.00	\$19,464.84	\$15,595.16	55.52%	\$35,060.00	\$0.00
		501-4502-5340 Licensing	\$4,500.00	\$2,985.00	\$1,515.00	66.33%	\$4,500.00	\$0.00
		501-4502-5350 Fines & Penalties	\$27,016.00	\$27,016.00	\$0.00	100.00%	\$27,016.00	\$0.00
		501-4502-6000 Office Supplies	\$1,500.00	\$262.25	\$1,237.75	17.48%	\$1,500.00	\$0.00
		501-4502-6025 Janitorial & Kitchen Supplies	\$100.00	\$0.00	\$100.00	0.00%	\$100.00	\$0.00
		501-4502-6050 Uniforms Expense	\$1,200.00	\$49.50	\$1,150.50	4.13%	\$1,200.00	\$0.00
		501-4502-6075 Hand Tools, & Small Equipment	\$2,500.00	\$60.51	\$2,439.49	2.42%	\$2,500.00	\$0.00
		501-4502-6080 Safety Equipment	\$250.00	\$130.85	\$119.15	52.34%	\$250.00	\$0.00
		501-4502-6150 Computers, Software & Electronics <\$10K	\$1,200.00	\$0.00	\$1,200.00	0.00%	\$1,200.00	\$0.00
		501-4502-6175 Vehicles & Powered Equipment Fuel	\$6,800.00	\$1,978.37	\$4,821.63	29.09%	\$6,800.00	\$0.00
		501-4502-6200 Vehicle & Powered Equip. Supplies & Svcs	\$3,000.00	\$220.51	\$2,779.49	7.35%	\$3,000.00	\$0.00
		501-4502-6225 Repair & Maintenance Supplies Wastewater	\$110,000.00	\$81,586.50	\$28,413.50	167.89%	\$225,000.00	\$115,000.00
		501-4502-6300 Chemical Supplies	\$60,000.00	\$24,055.65	\$35,944.35	40.09%	\$60,000.00	\$0.00
		501-4502-6325 Laboratory Supplies	\$1,000.00	\$1,492.49	(\$492.49)	149.25%	\$1,492.49	\$492.49
		501-4502-6800 Debt Service - Principal Payment WW	\$331,819.92	\$133,105.13	\$198,714.79	40.11%	\$331,819.92	\$0.00
		501-4502-6850 Debt Service Interest - Sewer	\$29,169.07	\$14,019.98	\$15,149.09	48.06%	\$29,169.07	\$0.00
		501-4502-7090 Infrastructure - Sewerlines & Pump Stations	\$14,500.00	\$0.00	\$14,500.00	0.00%	\$14,500.00	\$0.00
		501-4502-8000 Reserve for Plant Expansion - Facility Fees	\$290,400.00	\$0.00	\$290,400.00	0.00%	\$290,400.00	\$0.00
		Wastewater Plant Total	\$1,469,481.54	\$607,894.64	\$861,586.90	41%	\$1,869,205.59	\$399,724.05

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
	Dept: 4503							
		501-4503-1000 Regular Salaries & Wages-Utility Billing	\$34,267.71	\$12,600.83	\$21,666.88	36.77%	\$34,267.71	\$0.00
		501-4503-1100 Regular Salaries & Wages OT-Util Billing	\$200.00	\$0.00	\$200.00	0.00%	\$200.00	\$0.00
		501-4503-2000 FICA Expense	\$2,636.78	\$984.12	\$1,652.66	37.32%	\$2,636.78	\$0.00
		501-4503-2100 SUI Expense	\$42.40	\$0.00	\$42.40	0.00%	\$42.40	\$0.00
		501-4503-2200 Retirement-ER VRS & ICMA-RC Contribution	\$2,775.60	\$925.12	\$1,850.48	33.33%	\$2,775.60	\$0.00
		501-4503-2210 Life Insurance	\$484.92	\$161.60	\$323.32	33.33%	\$484.92	\$0.00
		501-4503-2220 Disability Insurance, LTD & STD	\$267.97	\$67.29	\$200.68	25.11%	\$267.97	\$0.00
		501-4503-2230 Worker's Comp	\$22.64	\$7.52	\$15.12	33.22%	\$22.64	\$0.00
		501-4503-2300 Health Insurance	\$7,212.78	\$2,975.00	\$4,237.78	41.25%	\$7,212.78	\$0.00
		501-4503-2310 Dental Insurance	\$304.50	\$96.40	\$208.10	31.66%	\$304.50	\$0.00
		501-4503-2320 Vision Insurance	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4503-2325 AFLAC Insurance Premiums - Town portion	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4503-2340 Employee Assist Program	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4503-2345 Employee/Volunteer Testing	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4503-2360 Staff & Volunteer Appreciation	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4503-3020 Maint Svc Contracts - Annual	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4503-3025 Repair, Maintenance & Service Contracts	\$2,250.00	\$290.04	\$1,959.96	12.89%	\$2,250.00	\$0.00
		501-4503-3430 IT Services	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4503-3500 Advertising Services	\$135.00	\$0.00	\$135.00	0.00%	\$135.00	\$0.00
		501-4503-3760 Cash Short & Over Util Billing	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4503-5040 Phone Services	\$360.00	\$96.00	\$264.00	26.67%	\$360.00	\$0.00
		501-4503-5070 Postage	\$6,300.00	\$1,500.00	\$4,800.00	23.81%	\$6,300.00	\$0.00
		501-4503-5110 Lease, Office Equipment	\$2,200.00	\$437.13	\$1,762.87	19.87%	\$2,200.00	\$0.00
		501-4503-5200 Travel-Mileage, Parking & Tolls	\$20.00	\$0.00	\$20.00	0.00%	\$20.00	\$0.00
		501-4503-5210 Travel-Lodging & Meals	\$35.00	\$0.00	\$35.00	0.00%	\$35.00	\$0.00
		501-4503-5220 Conference	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		501-4503-5230 Education	\$150.00	\$0.00	\$150.00	0.00%	\$150.00	\$0.00
		501-4503-6000 Office Supplies	\$1,400.00	\$656.24	\$743.76	46.87%	\$1,400.00	\$0.00
		501-4503-6150 Computer, Software & Electronics <\$10K	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		Utility Billing Total	\$61,065.30	\$20,797.29	\$40,268.01	34%	\$61,065.30	(\$0.00)
		Utility Fund Revenue Less Expenditures	\$0.00	\$80,668.94	\$0.00	33%	\$0.00	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
Fund: 510 HARBOR FUND								
	Dept:							
		510-3150-1000 Harbor Fuel Sales	\$554,786.00	\$264,185.13	(\$290,600.87)	47.62%	\$554,786.00	\$0.00
		510-3150-2000 Dockage Fees	\$406,559.00	\$144,031.60	(\$262,527.40)	35.43%	\$406,559.00	\$0.00
		510-3150-2050 Special Event Revenue - Harbor	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		510-3150-2100 Harbor Electric Sales/NC for Pumpout	\$31,000.00	\$10,045.00	(\$20,955.00)	32.40%	\$31,000.00	\$0.00
		510-3150-3000 Wharfage Fees	\$8,000.00	\$0.00	(\$8,000.00)	0.00%	\$8,000.00	\$0.00
		510-3400-1000 Lease - Restaurant Base Amount	\$6,000.00	\$2,400.00	(\$3,600.00)	40.00%	\$6,000.00	\$0.00
		510-3500-1501 Harbor Water Sales	\$1,200.00	\$0.00	(\$1,200.00)	0.00%	\$1,200.00	\$0.00
		510-3600-4000 Insurance Proceeds, Refund or Rebate	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		510-3800-3000 Grant - Federal Boating Infrastructure BIG	\$41,893.00	\$0.00	(\$41,893.00)	0.00%	\$41,893.00	\$0.00
		510-3950-2000 Transfer from Debt Service Fund	\$104,950.25	\$32,825.12	(\$72,125.13)	31.28%	\$104,950.25	\$0.00
		510-3950-6000 Transfer from Fund Balance	\$0.00	\$0.00	\$0.00	0.00%	\$35,000.00	\$35,000.00
			\$1,154,388.25	\$453,486.85	(\$700,901.40)	39%	\$1,189,388.25	\$35,000.00
	Dept: 4713							
		510-4713-1800 Allocated Wages	\$12,109.79	\$4,036.60	\$8,073.19	33.33%	\$12,109.79	\$0.00
		510-4713-2800 Allocated Benefits	\$3,586.65	\$1,273.04	\$2,313.61	35.49%	\$3,586.65	\$0.00
		510-4713-3020 Maint Svc Contracts - Annual	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		510-4713-3025 Service Contracts	\$4,300.00	\$1,038.08	\$3,261.92	0.00%	\$4,300.00	\$0.00
		510-4713-3040 Grounds Maintenance	\$1,500.00	\$0.00	\$1,500.00	0.00%	\$1,500.00	\$0.00
		510-4713-3415 Management Services Exp - CC Yacht Center	\$320,000.00	\$92,959.93	\$227,040.07	29.05%	\$320,000.00	\$0.00
		510-4713-3430 IT Services	\$1,700.00	\$0.00	\$1,700.00	0.00%	\$1,700.00	\$0.00
		510-4713-3730 Bank Service Charges Harbor	\$700.00	\$0.00	\$700.00	0.00%	\$700.00	\$0.00
		510-4713-4160 Grant Exp - VDH BIG	\$24,000.00	\$0.00	\$24,000.00	0.00%	\$24,000.00	\$0.00
		510-4713-5010 Electric Service	\$26,928.00	\$11,707.76	\$15,220.24	43.48%	\$26,928.00	\$0.00
		510-4713-5030 Water Expense Harbor	\$750.00	\$228.60	\$521.40	30.48%	\$750.00	\$0.00
		510-4713-5035 Sewer Expense Harbor	\$1,400.00	\$257.40	\$1,142.60	18.39%	\$1,400.00	\$0.00
		510-4713-5050 Internet & Cable Services	\$900.00	\$381.43	\$518.57	42.38%	\$900.00	\$0.00
		510-4713-5300 Insurance, Property & General Liability	\$28,000.00	\$14,929.94	\$13,070.06	53.32%	\$28,000.00	\$0.00
		510-4713-6025 Janitorial & Kitchen Supplies	\$3,780.00	\$707.59	\$3,072.41	18.72%	\$3,780.00	\$0.00
		510-4713-6150 Computer, Software & Electronics <\$10K	\$900.00	\$0.00	\$900.00	0.00%	\$900.00	\$0.00
		510-4713-6175 Vehicles & Powered Equipment Fuel	\$800.00	\$378.46	\$421.54	47.31%	\$800.00	\$0.00
		510-4713-6200 Vehicle & Powered Equip. Supplies & Svcs	\$8,640.00	\$1,599.24	\$7,040.76	18.51%	\$8,640.00	\$0.00
		510-4713-6225 Repair & Maintenance Supplies Harbor	\$53,693.56	\$3,397.32	\$50,296.24	6.33%	\$88,693.56	\$35,000.00
		510-4713-6400 COGS - Fuel for Resale	\$443,750.00	\$264,065.62	\$179,684.38	59.51%	\$443,750.00	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
		510-4713-6800 Debt Service - Principal Payment HRB	\$81,430.45	\$21,676.80	\$59,753.65	26.62%	\$81,430.45	\$0.00
		510-4713-6850 Debt Service Interest - Harbor	\$23,519.80	\$11,148.32	\$12,371.48	47.40%	\$23,519.80	\$0.00
		510-4713-6900 Contingency Fund Expense Harb Fund	\$20,000.00	\$0.00	\$20,000.00	0.00%	\$20,000.00	\$0.00
		510-4713-7070 Vehicles & Equipment	\$52,000.00	\$0.00	\$52,000.00	0.00%	\$52,000.00	\$0.00
		510-4713-7085 Infrastructure - Docks & Misc CAP BDGT	\$40,000.00	\$0.00	\$40,000.00	0.00%	\$40,000.00	\$0.00
		Total Harbor	\$1,154,388.25	\$429,786.13	\$724,602.12	37%	\$1,189,388.25	\$35,000.00
		Harbor Revenue less Expenditures	\$0.00	\$23,700.72	\$0.00	38%	\$0.00	\$0.00

TOWN OF CAPE CHARLES FISCAL YEAR 2023 MID YEAR BUDGET REVIEW DETAIL

Fund	Dept	General Ledger Account	Budget	YTD Actual	Bdgt vs. Actual	Prcnt of Bdgt	Projected Total	Proposed inc/(dec)
Fund: 520 SANITATION FUND								
	Dept:							
		520-3150-1000 Refuse Collection Fees	\$277,929.12	\$92,057.87	(\$185,871.25)	33.12%	\$277,929.12	\$0.00
		520-3150-2000 Bulk refuse collection fees	\$600.00	\$210.00	(\$390.00)	35.00%	\$600.00	\$0.00
		520-3150-3000 Miscellaneous Refuse fees	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		520-3150-4000 Penalties & Interest - Garbage Charges	\$3,500.00	\$1,371.01	(\$2,128.99)	39.17%	\$3,500.00	\$0.00
		520-3900-6000 Appropriation from Fund Balance	\$160,224.00	\$0.00	(\$160,224.00)	0.00%	\$175,229.00	\$15,005.00
		Sanitation Revenue Total	\$442,253.12	\$93,638.88	(\$348,614.24)	21%	\$457,258.12	\$15,005.00
	Dept: 4520							
		520-4520-3020 Maint Svc Contracts	\$265,309.80	\$65,821.35	\$199,488.45	24.81%	\$280,314.80	\$15,005.00
		520-4520-3500 Advertising Services	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		520-4520-5300 Insurance, Property & General Liability	\$1,000.00	\$446.16	\$553.84	44.62%	\$1,000.00	\$0.00
		520-4520-6225 Repair & Maintenance Supplies Sanitation	\$15,719.32	\$15,718.57	\$0.75	100.00%	\$15,719.32	\$0.00
		520-4520-7090 Bulding, Equipment, Other CAPITAL BUDGET	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		520-4520-7100 Depreciation Expense Sanitation	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	\$0.00
		520-4520-8110 Transfer to Capital Fund	\$160,224.00	\$0.00	\$160,224.00	0.00%	\$160,224.00	\$0.00
		Sanitation Expenditure Total	\$442,253.12	\$81,986.08	\$360,267.04	19%	\$457,258.12	\$15,005.00
		Revenue less Expenditures	\$0.00	\$11,652.80	\$0.00	20%	\$0.00	\$0.00

 TOWN OF CAPE CHARLES	AGENDA TITLE: Reappointment of Board of Zoning Appeals Member		AGENDA DATE: December 15, 2022
	SUBJECT/PROPOSAL/REQUEST: Reappointment of Board of Zoning Appeals members		ITEM NUMBER: 8F
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Libby Hume, Town Clerk	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

The Board of Zoning Appeals hears zoning appeals and reviews variance and special exception applications. All appointments are approved by the Circuit Court of Northampton County. The Board consists of five members each serving five-year terms.

DISCUSSION:

Pete Baumann currently serves on the Board of Zoning Appeals and his term will be expired on October 31, 2022. He has expressed his interest in continuing his service on the BZA for another term.

RECOMMENDATION:

Staff recommends Council reappoint Mr. Pete Baumann to the Board of Zoning Appeals for another five-year term.