



TOWN COUNCIL
Work Session
Cape Charles Civic Center
December 9, 2024
6:00 PM

At 6:00 p.m. Mayor Adam Charney, having established a quorum, called to order the Work Session of the Cape Charles Town Council. In addition to Mayor Charney, in attendance were Vice Mayor Bennett, Councilmen Buchholz, Butta and Grossman, and Councilwomen Ashworth and Holloway. Also, in attendance were Councilman-elect Clayton Newman, Town Manager John Hozey, Treasurer Marion Sofield, Planner/Zoning Administrator Katie Nunez, Code Official Jeb Brady and Town Clerk Libby Hume. There were 25 members of the public physically in attendance.

Mayor Charney asked for a moment of silence to remember Chris Bannon, who was a member of the Town Council for over 20 years, and Furlong Baldwin, who both passed away over the weekend.

Mayor Charney continued with a statement to the members of the public in attendance explaining that this was a work session and there would be no public comment period. He asked that everyone refrain from voicing their comments, boos, etc. during the meeting. He also heard some discussion regarding why Ms. Tara Ashworth was sitting on the dais and Mr. Clayton Newman was sitting in the audience. and explained that Ms. Ashworth was appointed by the Northampton County Circuit Court Judge Lewis in November to fill the vacant position on the Town Council created when Mr. Andrew Follmer resigned.

A. Short-Term Rental Ordinance:

Mayor Charney went on to state that he had requested this work session after thinking about last week's decision regarding short-term rentals (STRs). Anytime a conditional use permit (CUP) was going to be brought up, it should be on the agenda. Bringing up the issue of requiring CUPs during the meeting without notifying the other Council members or public was not the proper procedure. He was not prepared for the discussion and had lots of questions regarding the CUP process.

Town Manager John Hozey stated that the Town currently had two zoning actions moving through at the same time – the entire zoning ordinance and the STR portion of the zoning ordinance. Council previously decided that the STR portion needed to be reviewed separately from the main zoning ordinance so they could focus on getting it approved. As it turned out, the STR portion made it to the finish line first and was approved on November 21, 2024. However, since the STR ordinance was part of the larger zoning ordinance, it would come up again, so Council had another opportunity to address any issues. He explained that at the December 19th meeting, someone needed to make a motion to replace the STR ordinance in the zoning ordinance with the new one approved by Council so we would have a complete zoning ordinance. Then, the STR ordinance would be back on the floor and Council would have the opportunity to make any changes.

There was much discussion regarding: i) Councilman Grossman stated that the CUP has a process and anyone could apply for one. The Planning Commission would review it and hold its public hearing, then make their recommendation to the Town Council which would also hold a public hearing before making a decision. Everything was stated in the ordinance adopted last month; ii) Councilman-elect Newman asked that if we did not specifically know the answer to the questions, how could we expect the residents to go through the process without determining what the process was going to be in advance?; iii) Councilwoman Holloway added that she also had a lot of questions when she left the meeting, specifically about the CUP process. Would the CUP convey with the sale of the property?; iv) John Hozey responded that it depended on how the Council wanted to handle it.

With the current STR owners being grandfathered, if Council wanted everyone to go through the CUP process eventually, the CUP would go with the owner, not the property. Council could also decide to make the CUP go with the land. Katie Nunez added that Council did not make this clear in the ordinance but the decision needed to be made; v) Mayor Charney stated that he spoke with Katie Nunez and John Hozey and there were only three things that needed to be done to get a STR permit – 1) get a business license; 2) get a rental inspection; 3) as long as they kept the occupancy under 10, they would be approved; vi) There was some discussion about the differences between Bed & Breakfasts and STRs; vii) Councilman Buchholz felt that it was all too much. If a house was grandfathered and sold, the new owners could immediately open a STR while another house would have to go through a CUP process. We needed to go back to the original ordinance and allow STRs by-right with the conditions that were discussed previously. He added that he voted incorrectly at the last meeting and should have voted against the ordinance; viii) John Hozey added that staff was thrown off guard as well. If Council wanted to allow STRs by CUP, they needed to set the conditions such as occupancy and the requirement for sufficient parking if exceeding the occupancy of 10. When Council changed course at the last minute to require CUPs with no conditions, it created a problem; ix) Councilman Grossman noted that after 10 years of discussion regarding accessory dwelling units (ADUs), a process was put in place to allow ADUs by CUP so the public had the ability to weigh in. After 2 years of this process, it was changed to allow ADUs by-right. We could start out with a CUP requirement for STRs, then down the road, it could be changed to by-right, just like what was done with ADUs; x) Councilman Buchholz stated that Council never discussed requiring CUPs for STRs. When it was brought up by the committee, Council voted against it; xi) John Hozey added that CUPs were discussed by the committee afterwards and since some jurisdictions required CUPs, they looked at the various conditions and decided on some conditions for STRs which was added to the ordinance, then made it a by-right use; xii) Councilwoman Holloway felt that there was a lot of confusion during the meeting and since Council switched gears during the meeting, we needed to talk it through to be comfortable with how we would move forward; xiii) Councilman Butta suggested that even if Council allowed STRs by-right, add another condition requiring that the property owners send annual notifications to the adjacent property owners that the property was going to be used as a STR. Councilwoman Holloway agreed. John Hozey commented that this could be done and the STR owner would complete a self-certification and if the Town found out that this was not done, the STR permit would be revoked; xiv) Councilman-elect Newman stated that subjective nature of a CUP bothered him. He asked whether we could add something somewhere for potential buyers considering the potential of renting their property, asking about sufficient parking, etc. People needed to know this information at the front end of their transaction so they could make the appropriate decisions. There were many nonconforming lots in the Town where there was only room for 1 car. Residents were afraid of the by-right issue because density was not addressed; xv) The CUP process was dictated by the Code of Virginia requiring Planning Commission and Town Council public hearings which were permitted to be combined to help streamline the process. Legal advertisements were required along with notification of adjacent property owners. The process could take about 45-60 days.

John Hozey asked Council if they wanted to go back to by-right use or a requiring a CUP? If Council decided to stay with a CUP, then conditions needed to be set. He went on the state that staff was brainstorming, and if Council opted to go back to allowing STRs by-right, prior to obtaining a STR permit, the owner would have to provide staff with a site plan for review to determine whether any off-street parking was available. If space was available, the owner would have to provide off-street parking for their guests, which could help relieve the issue of parking. If the owner did not have space, the lack of off-street parking would not hold up the permit issuance.

There was further discussion as follows: i) Councilman Grossman stated that he had reviewed some ordinances that did not require a CUP but included the conditions as part of the STR permitting process; ii) Enforcement difficulties with occupancy and parking; iii) Much discussion regarding parking.

The consensus was to amend the adopted STR ordinance going back to the original recommendation that was presented on November 21st.

Councilwoman Holloway made a general statement to the members of the audience, stating that the Council members sat up front and could see the faces being made, adding that at times it was very difficult sitting on the dais. The Council members were doing their best for the citizens and she asked that the members of the public be mindful of that.

John Hozey stated that there was a grace period so STR owners did not have to come into compliance for a year. The fee had not been set as yet but once it was set, it would be a disincentive to come in to complete the paperwork. Then staff would be inundated at the last minute with permit requests. Staff's recommendation was to waive the permit fee during the grace period for anyone coming in early. He also wanted to add a comment that when the application was submitted to the planning department, they would up to 90 days to act on the application. Katie Nunez stated that she and her staff would do their best to get things processed. John Hozey distributed his recommended language for review. (Please see attached.) John Hozey reviewed the language on his handout and received a consensus on the proposed language.

John Hozey stated that the fee still needed to be set. He provided a handout at the last meeting which estimated costs. The annual cost would be about \$570 per year after the grace period. These estimates were based on by-right use. These numbers would be reviewed again at the mid-year budget review work session on January 2nd. The adjustments made this evening would be prepared for review at the December 19th meeting.

John Hozey went on to provide an overview of what to expect at the December 19th regular meeting. The entire zoning ordinance was being presented for adoption. He asked Council to study the spreadsheet provided which detailed the Planning Commission's recommendations which were highlighted in pink. (Please see attached.)

Katie Nunez stated that if Council had any concerns or questions, to please give her a call.

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

The Town Hall Meeting was adjourned at 7:59 p.m.

Mayor Charney

Town Clerk

12/9/2024 Town Council Work Session Handouts

Parking Option

[NEW] Section 4.12 B Permitting Requirements:

2.i: Certification of a town site review to determine the availability of off-street parking

[NEW] Section 4.12 C Additional Requirements:

4. Parking [renumber existing requirements]: The town will conduct a site review for each STR to determine if off-street parking is available. If the town determines that off-street parking is available, such spaces shall be designated, signed, and used by that STR's clients. No negative consequence pursuant to this requirement shall result against an STR application if the town determines that off-street parking is unavailable.

Other Suggestions

Section 4.12 A Purpose and Intent

4. Owners and operators are allowed a one-year grace period, from the date Zoning Ordinance No. 20241121A is adopted, to come into compliance, **and pay the zoning permit fee**. However, this grace period is not intended to limit or change existing rules, **and** regulations, **or fees** including but not limited to requirements to obtain a business license, pay taxes, and comply with the build code.

Section 4.12 B Permitting Requirements:

2. A short-term rental unit shall not be operated until a Short-Term Rental (STR) zoning permit is issued by the Planning Department, **who shall have a minimum of ninety (90) days to act on an application**. The application ...

Planning Commission Proposed Amendments and Accepted Changes (12/6/2024) - In Advance of 12/19/2024 Meeting					
Page Number (CV)	Paragraph	Planning Commission Vote for Recommended Amendments	Change	Comment	Action
Article I					
2	C.		G	Add ";" at end	Accepted
2	D.		G	Add 'and' at end	Accepted
Article II					
4	2.3.1		T	The letter "C" and the term "COM" represents... The letter "H" represents change to 'the term HARB represents...' The term "PUD" or "PD" represents... Unless ACC PUD uses PD, I suggest PD be omitted.	Accepted
5	2.3.2		G	Header and paragraph letters are missin in the clean copy	Accepted
6	2.4.1		G	No need to highlight (4) in red	Accepted
6	2.4.1.B.2		G	Add 'and' at end	Accepted
9	2.4.3.A.4		G	Separate out item 5 which is combined with item 4, and renumber.	Accepted
11	2.5.6-50		G	Delete item 2.5.4-50	Accepted
15	2.7.2.B	Delete Such public hearing shall be held not less than six nor more than 21 days after the second advertisement appears. Add bolded text in adjacent column	T	Suggest rewording to agree with statute for correctness and clarity; "published once a week for two successive weeks in some newspaper having general circulation in the town, with the first notice appearing no more than 28 days before and the second notice appearing no less than seven days before the date for the meeting referenced in the notice . Such public hearing shall be held not less than six seven nor more than 21 days after the second advertisement appears.	Amendment /Accepted
17	2.9		G	Deletion of red	Accepted
Article III					
18	3.1.A	Delete aspects of this paragraph. "and to restrict all activities of a commercial nature as described in Section 3.6.A of this ordinance, know as Commercial Districts C-1, C-2 and C-3 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 Add Bolded text	T	Reference to 3.6.A is now incorrect and C-1 does not even have this quote. At least I cann find. Suggest: "and to restrict all activities of a commercial nature as described in Section 3.6.A of this ordinance ; know as Commercial Districts C-1, C-2 and C-3 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	Amendment /Accepted
18	3.1.C.2		G	4.2 (j) should be 4.1 (j) (Change was made throughout)	Accepted
18	3.1.C.4		G	4.15 should be 4.14 (Change was made throughout)	Accepted

Page Number (CV)	Paragraph	Planning Commission Vote for Recommended Amendments	Change	Comment	Action
18	3.1.D.1	Amend and move from 3.1.D.1, 3.4.B.8 to Section 4.15. Bed and breakfasts, 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. The number of accommodations shall be subject to recommendation by the Planning Commission and approved by the Town Council. Must be in Compliance with Article 4.15	T	We had talked about pulling the B&B requirements into Section 4.	Amendment/ Accepted
19	3.1.E		G	Reference is made to 4.2, should be 4.1 €	Accepted
20	3.1.F	Add developmental standards as item 4 to be in compliance with Section 4.12.	T	Developmental Standards moved to Section 4.12 as desired. Suggest: 4. Development standards are found in Section 4.12.	Amendment/ Accepted
23	3.3.E		T	Multi-Family Project Table - We agreed to move "max development of eight townhouses..." under item F. Additional Development Requirements. Make item 3.	Accepted
23	3.3.F		G	Off-street parking statement should be numbered item 2.	Accepted
24	3.4.B.8		T	Note that no caveats are provided here for B&Bs. Suggest added to Section 4.2.	Accepted
24	3.4.C	Adding 3.4.C item 6 as follows, "Uses which are customary accessory and clearly incidental and subordinate to the principal use and structure."	T	We dropped "Uses which are customary accessory and clearly incidental and subordinate to the principal use and structure," and should be included as item 6.	Amendment/ Accepted
25	3.5.B.1		T	We need to remove in first sentence 'of the Harbor District' now that the map is being changed.	Accepted
25	3.5.B.1.h		G	Add period at end of sentence.	Accepted
26	3.5.D		T	We should be adding home occupation. Suggest: 3. Home occupation per Section 4.0 in the residential uses.	Accepted
26	3.5.F		G	Remove the comma after 0 in table.	Accepted
26	3.5	Amend and add Item II to include developmental standards to be in compliance with Article 4.13	T	Need to add item G and include developmental standards statement referencing 4.13	Amendment/ Accepted

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Page Number (CV)	Paragraph	Planning Commission Vote for Recommended Amendments	Change	Comment	Action
26	3.5.A		G	Additional Requirements should be item G	Accepted
27	3.5.A.2		G	Reference to Director of Planning & Zoning should be changed to Zoning Administrator for consistency.	Accepted
27	3.7		G	There is no Section 3.6. Either change numbering or provide as follows: Section 3.6 - Reserved Suggest the latter and retain numbering as is.	Accepted
28	3.7.C		T	We should be adding home occupation. Suggest: 3. Home occupation per Section 4.0 in the residential uses.	Accepted
28	3.7.E		G	Reference should be 4.13.	Accepted
28	3.7.F		G	We should add "Additional sign details are provided in Article V."	Accepted
29	3.8.C		T	We should be adding home occupation. Suggest: 3. Home occupation per Section 4.0 in the residential uses.	Accepted
29	3.8	Add developmental standards as item 3 to be in compliance with Section 4.13	T	Add F, Developmental Standards para.	Amendment/ Accepted
29	3.8.F		G	Renumber F to G	Accepted
29	3.8.F.2		T	Should add reference to Article V for signs.	Accepted
29	3.9		G	Title to section should be Harbor-Commercial	Accepted
30	3.9.A		G	Third paragraph is not presented as a complete sentence. Suggest: "The district's intent is to permit retail and commercial businesses generally found in a retail business area and that would be complementary to..."	Accepted
30	3.9.C		T	We should be adding home occupation. Suggest: 5. Home occupation per Section 4.0 in the residential uses.	Accepted
32	3.9		T	There are no developmental standards. Should we reference 4.13?	Accepted
32	3.9		T	There are no Additional Requirements. Suggest similar to other districts: Utilities are to be underground Reference Article V for signs.	Accepted
32	3.10		G	Third paragraph is not presented as a complete sentence. Suggest: 'The district's intent is to permit'	Accepted
32	3.10.B		T	We dropped two items that were previously agreed to at August 6, 2024 meeting. Suggest adding back under permitted uses. Adult and/or Child daycare center Educational institute	Accepted
33	3.10.B.9		T	Outdoor storage contains landscaping requirements the reference Appendix A.If this App A to Accawmacke PUD, then that needs to be inserted.	Accepted

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Page Number (CV)	Paragraph	Planning Commission Vote for Recommended Amendments	Change	Comment	Action
33	3.10.D.6		T	This item pertains to both permitted and conditional uses but is buried under conditional uses only. Suggest moving under permitted uses as item 2.3 and modify to delete 'conditional uses'.	Accepted
	3.10.D	Add as a new CUP Use: Indoor Recreational, Business	T	Add as a new CUP use: Indoor Recreational, Business	Amendment/ Accepted
34	3.10.F.1.b		G	Item 1 buffer refers to Acc PUD. Clarify b as follows: 'When a zoning lot within the Harbor-Light Industrial District adjoins an Accawmacke Plantation PUD C district, the following...'	Accepted
36	3.10.F.6		G	4.5 should be 4.4 for outdoor lighting.	Accepted
36	3.10.F		T	We should add underground utilities to Additional Requirements?	Accepted
36	3.11.A.2		G	Delete to at	Accepted
37	3.11.F.8		T	We agreed to delete 'or rail' and 'rail or'. Need to delete.	Accepted
38	3.12.B.1		G	Reference to Harbor should be 'Harbor-Commercial' (Changed throughout)	Accepted
39	3.12.E.2		T	References need correction: 3.12.B.2.iii to 3.12.G.b.iii 3.12.L to 3.12.I	Accepted
41	3.12.G.2.b.i 3.12.G.2.b.ii		G	five' to five foot forty' to forty foot six' to six foot five' to five foot 10 to 10'	Accepted
45	3.13.E.2 3.13.F		G	3.2 to 3.1	Accepted
46	3.14.A		G	thru to through	Accepted
46	3.14.B	To delete in Section 3.14.B, Item 35 from the C-1 district, (any use allowed in the S-C District), delete (and, (ii)), and change Item C to E.	T	The items listed as not to be applicable from C-1, having been changed. Item #35 is gone. Item C (Conditional Uses) is now Item E and has now included charging stations. Need to determine if these two items need to be modified.	Amendment/ Accepted
48	3.14.E.1.iv		G	Need to drop 'RE or' since this district has been eliminated.	Accepted
49	4.0.B.5		G	Article IV small to small Need to move requirements contained in definition to new item 8.	Accepted
49	4.0.B.8	Add new Item 8, Home occupations must be constructed wholly within the building or structure shall not exceed 50 percent of the total floor area.	T	8. Home occupations must be constructed wholly within the building or structure and shall not exceed 50 percent of the total floor area; and the residential appearance of the building or structure must be maintained. The latter part stricken is already covered in items 1 and 2.	Amendment/ Accepted

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Page Number (CV)	Paragraph	Planning Commission Vote for Recommended Amendments	Change	Comment	Action
49	4.0.C	If the home-based occupation meets the above requirements and the Home-Based Occupation Affidavit is signed, zoning clearance shall be granted.		If the home-based occupation meets the above requirements and the Home-Based Occupation Affidavit is signed, zoning clearance may shall be granted.	Amendment/ Accepted
50	4.1.B1	Storage of travel or recreational trailers in an enclosed accessory building is permitted in any district provided that no living quarters are occupied within the trailer.		Storage of travel or recreational trailers in an enclosed accessory building is permitted in any district provided that no living quarters are maintained occupied within the trailer.	
53	4.1.G.3	Applicants shall demonstrate that the proposed fencing is consistent with the nature of and/or the security requirements of the business.	G	Applicants shall demonstrate that the proposed fencing is consistent with the nature of and the security requirements of the business.	Amendment/ Accepted
53	4.1.G.3		G	4.2 to 4.1, keep G1 and 2.	Accepted
53	4.1.J		T	We allow acc dwelling in R-3. Add R-3.	Accepted
54	4.1.J.3.c		G	4.2 to 4.1, keep J (1) and (2).	Accepted
55	4.1.L		G	No need for caps to letters	Accepted
55	4.1.L		G	No need to bold Admin review and approval.	Accepted
55	4.32		G	4.32 to 4.2	Accepted
57	4.32.D.2		Q	Are we really expecting ZA to notify TC when CUP approaches 1 year?	Discussion Held
57	4.32.E		G	No need to include (1) after one.	Accepted
57	4.32.E.5		G	Remove the item 5 number and move paragraph out to margin and number as F.	Accepted
58	4.32.F		G	Item F changed to G.	Accepted
60	4.4.3		G	Cutoff to Cut-off for consistency.	Accepted
60	4.4.4		G	Full to full	Accepted
61	4.4.4.D		T	This item limits light pole height for parking lots to 25 feet. This conflicts with 4.5.G.8 which contain 20 ft (<100 spaces) or 35 ft (>100 spaces). Need to rectify what we want.	Amendment/ Accepted
62	4.4.6		G	4.5.4 to 4.4.4	Accepted
63	4.5.B		G	The numbering for this section needs to revert back to original numbering. 1. a. b. 2. a. b. 3.	Accepted

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Page Number (CV)	Paragraph	Planning Commission Vote for Recommended Amendments	Change	Comment	Action
64	Table 4.5 Item a.1	Add Item 10, Duplexes in all Residential Districts, "requires off-street parking, 1 space per each side of the duplex"	T	We now allow duplexes with parking restrictions. Therefore the min. space column should add "Duplexes in R-1 District built after () requires offstreet parking."	Amendment/ Accepted
68	4.5.E.2		Q	Should 11 feet deep be 13? That is what my notes show.	
69	4.5.G.8	Delete used in parking lots with more than 100 parking spaces may not exceed 35 feet in height. All lighting is to be compliant with Dark Sky lighting standards and add the following "shall be in compliance with Section 4.4"	T	Delete used in parking lots with more than 100 parking spaces may not exceed 35 feet in height. All lighting is to be compliant with Dark Sky lighting standards and add the following "shall be in compliance with Section 4.4"	Amendment/ Accepted
70	4.5.G.8		G	Reference made to Dark Sky lighting standards. Recommend adding reference at end. "(See Section 4.4)"	Accepted
73	4.5.M.1		G	4.2.G to 4.1.G	Accepted
74	4.6.B		G	4.7.C to 4.6.C	Accepted
76	4.8	Change "Satellite Dish to Communication/Data Equipment"	T	Change "Satellite Dish to Communication/Data Equipment"	Amendment/ Accepted
77	4.8.A.1	Added (no greater than 2 feet in diameter)	T	added (no greater than 2 feet in diameter)	Accepted
76	4.9.A	Add "If the property is located in the Historic District Overlay, then the owner must follow Section 8.21. If the property is located in the Historic Harbor Area Overlay District, then the owner must follow Section 9.21."	T	Both historic overlay and historic harbor area overlay have requirements on demolition. The edited version is different from clean version. Need to add "If the property is located in the Historic District Overlay, then the owner must follow Section 8.21. If the property is located in the Historic Harbor Area Overlay District, then the owner must follow Section 9.21."	Amendment/ Accepted
76	4.9.B	Add "If within the Historic Harbor Area Overlay District, then the owner must follow Section 9.22."	T	Need to address Historic Harbor Area Overlay District also. Add "If within the Historic Harbor Area Overlay District, then the owner must follow Section 9.22."	Amendment/ Accepted
76	4.9.B.4		G	Last paragraph is not part of item 4 and needs to be brought out to margin.	Accepted
77	4.11.a		G	panel/s to panels	Accepted
78	4.12		Q	Developments stds originally only were contained in R-1 and CR. Do these also apply to R-2 and R-3?	Discussion Held
83-87	4.14	Added STR Ordinance Section 4.14		Superseded by adoption of ordinance language during 11/21/24 TC meeting.	Amendment/ Accepted
Article V					
92	4.0		G	Title on edited version is there but not on clean versions. Add "Section 4.0 - Permit not required"	Accepted

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Page Number (CV)	Paragraph	Planning Commission Vote for Recommended Amendments	Change	Comment	Action
93	6.0.C.1.a		G	Last paragraph should be b. and indented.	Accepted
94	7.0.D.2		G	Last paragraph should be 3. and indented.	Accepted
138 edited	11.2 Wall Sign		T	For wall signs we agreed to add glass. Suggest "including glass" at end	Accepted
139 edited	11.2 Temporary		T	Wall was changed to window in title. But definition is contained in Other column. Window is discussed under Temporary. Change Wall in title to Window and move definition into Temporary column.	Accepted
139 Edited	11.2 Temporary		Q	My notes show a change of max 3 to 5 under Temporary	Discussion Held
141 edited	11.3 Wall sign		T	For wall signs we agreed to add glass. Suggest "including glass" at end	Accepted
142 edited	11.3 Other	Add following language, "window signs shall not exceed more than 50% of window size."	T	Window definition was added under Other but there is no criteria listed for size/number . Window is addressed at the bottom of Temporary column.	Amendment
109	6.1.4		G	Remove footnote 2	Accepted
110	6.2.1.a		G	Change chief executive officer to Town Manager	Accepted
114	6.2.4		G	Change county to town in first line	Discussion Held
114	6.2.5		G	"revised by the Cape Charles where" to "revised by the Town of Cape Charles where"	Accepted
114	6.2.6		G	Change Zoning Officer to Zoning Administrator	Accepted
114	6.2.6		G	Change "his own technical evidence if her so desires" to "their own technical evidence if they so desire."	Accepted
115	6.3.1.A		G	2nd paragraph - The Town of Cape Charles may	Accepted
116	6.3.1.A.1.a	Changed references to be consistent throughout	T	Many references throughout to Article III and Article 4. Need to determine appropriate references. I could not figure out appropriate references.	Amendment/ Accepted
117	6.3.1.A.2.3		T	18 inches is italicized. Decision needed?	Accepted
117	6.3.1.A.2.2		G	Same also on page 119.	Accepted
119	6.3.1.A.6.e		G	with the Cape Charles' endorsement	Accepted
120	6.3.2		Q	Remove footnote 10	Discussion Held
124	6.4.3.E.1.b		T	Will we have a Floodplain District map overlay and where found? Is this the same as Flood Insurance Rate Map FIRM posted under Planning and Zoning?	Accepted
131	6.7.GG		T	600 square feet is italicized. Decision needed?	Accepted
			T	Date of February 2, 1983 is underlined in red. Does this date need to be confirmed?	Accepted

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Page Number (CV)	Paragraph	Planning Commission Vote for Recommended Amendments	Change	Comment	Action
Article VII					
134	7.2.A		Q	Some state statutes are underlined and others not. Do these need to be checked? If not, remove underline through entire article.	Discussion Held
134	Previous 7.3		T	All definitions were moved to Appendix for definitions except two: Agricultural Lands and Plan of Development. These are both used and need to go into the Appendix.	Accepted
134	7.3		G	Since 7.2 Definitions dropped out, all references within this article need to be changed, example 7.3.D Section 7.10 should be 7.9. Too numerous to list separately.	Accepted
Article VIII					
166	8.33		G	There are crossed out words that have remained in the clean version. Need to delete.	Accepted
Article IX					
180	9.34	Delete " in conformity with the provisions of this Ordinance, reverse or affirm, wholly or partly, or may modify any order, requirement, decision, or determination appealed from and make such order, requirement, decision or determination as ought to be made and to that end shall have all the powers of the Harbor Area Review Board. " Replace with, "will rely solely on the written record of decision from the Harbor Area Review Board and will refer to the Harbor Guidelines once adopted, to determine if they were appropriately applied. The Town Council, through their appeal hearing, is determining only if a procedural or application error has occurred.	T	The part starting with "In exercising its powers" should mimic those words contained in 8.33 for HDRB appeals.	Amendment/ Accepted
181	9.38		G	"defined in Appendix A -Definitions of this Ordinance" to be consistent with 8.37.	Accepted
Appendix A					
182			T	Opening paragraph needs to add Floodplain Ordinance (Article VI) . Note that there is some overlap of some definitions where wording is sometimes slightly different.	Accepted
183			Q	My notes indicated that Administrator, The Zoning Administrator wording was to change.	Accepted
183			T	Agricultural Lands needs to be re-inserted. Found in VII	Accepted
184			T	Apartment House was to be removed. Not used in any zoning ordinance.	Accepted

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Page Number (CV)	Paragraph	Planning Commission Vote for Recommended Amendments	Change	Comment	Action
185		Delete, " Owner or manager is a permanent dweller residing on site. "	T	Bed & Breakfast - Need to removed developmental standards found in second sentence. Should appear in Article IV.	Amendment/ Accepted
186			T	Billboard was to be removed as it is not used in ordinances.	Accepted
186		Delete Boarding Houses and Rooming House from Table 4.5	T	Boarding Houses and Rooming House was deleted but is used in Table 4.5.	Amendment/ Accepted
186			G	Building, Accessory - change 4.2(j) to 4.1(j)	Accepted
189			G	Cooperative - of the Code of Virginia	Accepted
192			G	Flood or Flooding: indent A,B and C and make smaller case. This would be consistent with Floodplain Ordinance definition.	Accepted
195			T	Home Occupation - seconde sentence was to move to 4.0 as item 8.	Accepted
198			T	Manufactured Home - this should be dropped since it is already capture under Dwelling, Manufactured Homes.	Accepted
208			G	Story, Half - remove last bullet	Accepted
210		Add Temporary Family Health Care Structure to Appendix A as follows "means a transportable residential strucutre, providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person meeting criteria state in §15.2-2292.1."	T	We address Temporary Family Health Care structures allowed by code in Article IV with state code reference. We sould add to definitions: " Temporary family health care structure means a transportable residential structure, providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person meeting criteria stated in §15.2-2292.1."	Amendment/ Accepted
Appendix B					
234	7.7		Q	Do we need to add to this revision list? (all of this will be revised once new document is adopted by the town council)	
Appendix C					
236	4.A		G	7.11 should be 7.10. 7.4.A should be 7.6.A.	Accepted
Appendix D					
245	6		T	"least once a week for seven days prior to" - is this correct?	Accepted
Appendix F					
267			Q	Do we need to add to this revision list? (all of this will be revised once new document is adopted by the town council)	
Appendix G					
269	1.3		G	Appendix X should be Appendix A	Accepted
Additional Changes					

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Page Number (CV)	Paragraph	Planning Commission Vote for Recommended Amendments	Change	Comment	Action
		Add Spoil Site in Section 3.13 as Conditional Use Add Tower Communication in Section 3.13 as a Conditional Use Add Municipal Storage as a Permitted Use in Section 3.13.		90-A-6 (Virginia Port Authority). This is going to Open Space but the table comment was that Open Space had to have text amended to add spoil site as a Conditional Use. 83A3-A-15 (same as above) 83A3-A-15 (Municipal Storage) This is going to Open Space but the table noted that the text had to address Municipal Storage.	Amendment/ Accepted Amendment/ Accepted Amendment/ Accepted
				Incorporate the Town Council Amended Short Term Rental Ordinance as per the 11/19/2024 Meeting	