

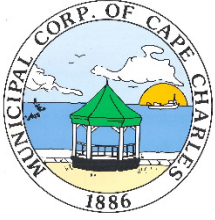
Planning Commission

Regular Session Agenda

Cape Charles Civic Center – 500 Tazewell Avenue
November 9, 2022, at 6:00 P.M.

1. Call to Order
 - A. Roll call and establish a quorum
2. Invocation and Pledge of Allegiance
3. Consent Agenda
 - A. Approval of agenda format
 - B. Approval of Minutes: None.
4. Public Hearings: NONE
5. Citizen Comment Period, for any item not subject to an advertised public hearing
6. Unfinished Business: NONE
7. New Business:
 - A. Request from Town Council to draft Zoning Text Amendments to Section 4.5 – Off-Street Parking and Loading Standards re: add golf cart parking spaces
8. Report of Officers and Committees
 - A. Housing Committee re: Land Use Ordinance Barriers to Housing Development
9. Standing Staff Reports
 - A. Interim Planning & Zoning Administrator Monthly Report for November 2022
 - 1.) Subdivision Agent Report
 - 2.) Report on Applications filed with Board of Zoning Appeals, pursuant to Code of Virginia §15.2-2310
 - B. Review and Acceptance of 2023 Planning Commission Meeting Calendar with Application Deadlines
10. Announcements - Next Meetings:
 - Regular Session: Tuesday, December 6, 2022 – Joint Public Hearing w/Town Council re:
 - Adoption of Comprehensive Plan 5-Year Update
 - Zoning Text Amendments on Article VIII – Historic District Overlay
 - Zoning Map Amendment on Historic District Overlay

Please note: Town Council Regular Session is December 15, 2022 and they are scheduled to vote on the adoption of Comprehensive Plan 5-Year Update and adoption of Historic District Guidelines and the Zoning Text Amendment of Article VIII (Historic District Overlay & Map)
11. Adjourn



PLANNING COMMISSION STAFF REPORT

Meeting Date: November 9, 2022

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

Date: November 3, 2022

REGULAR SESSION: Off-Street Parking and Loading Regulations

At the October 20, 2022 Town Council meeting, a Resolution of Intent 20221020 was passed requesting the Planning Commission to take up a review of Cape Charles Zoning Ordinance Section 4.5 regarding Off-Street Parking and Loading Standards to add considerations for the parking of golf carts in the table of parking standards as well as to examine Section 4.5.C to include language for dual use facilities.

Please find enclosed the staff report and a copy of the Resolution of Intent as well as a full copy of CCZO Section 4.5 for your review.

I would recommend that create a subcommittee of the Planning Commission to examine the Parking Regulations and develop proposed amendments to our regulations and to bring back such amendments to the full Planning Commission within the next 3 months.

RESOLUTION OF INTENT 20221020
ZONING ORDINANCE TEXT AMENDMENT TO
SECTION 4.5 OFF-STREET PARKING AND LOADING STANDARDS

WHEREAS, in accordance with Code of Virginia § 15.2-2286.A, the Cape Charles Zoning Ordinance § 2.7.1 includes regulations pertaining to initiation of amendments, supplements, change in the regulations, district boundaries or classifications of property contained in the zoning ordinance; and

WHEREAS, the need to update the current zoning ordinance has been discussed in the past; and

WHEREAS, Cape Charles Zoning Ordinance § 4.5 Off-Street Parking and Loading Standards may require amendment to add considerations for the parking of golf carts in the table of parking standards, and § 4.5.C related to shared parking for dual use facilities.

NOW, THEREFORE, BE IT RESOLVED that for purposes of public necessity, convenience, general welfare or good zoning practice, the Cape Charles Town Council hereby adopts a resolution of intent to consider amending the Cape Charles Zoning Ordinance § 4.5 and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein.

Adopted by the Town Council of the Town of Cape Charles on October 20, 2022.

By: _____
Mayor Dize

Attest:

Town Clerk

ARTICLE IV

General Regulations Applicable to All Districts

Section 4.5 Off-Street Parking and Loading Standards. [updated 2/6/2020]

A. General requirements.

1. It is the intent of this zoning ordinance that all buildings, structures, and uses of land shall provide off-street vehicular and bicycle parking in an amount sufficient to meet the needs caused by the building or use of land and that such parking and loading spaces be so oriented that they are readily useable for such purposes.
2. Each use of land and each building or structure hereafter constructed or established shall provide off-street parking and loading according to the standards set forth herein. When a change is proposed to a building that is nonconforming as to parking or loading requirements, a conforming amount of parking or loading shall be supplied based upon the size of the addition.
3. No addition, renovation, or change of use to an existing building shall be constructed or established which reduces the number of spaces, area, or usability of existing parking or loading space unless such building and its addition conform with the regulations for parking and loading contained herein.
4. The parking lot shall not be modified, enlarged, relocated, or expanded in a manner that violates any portion of this zoning ordinance.
5. No non-single-family detached residential parking area may be used for the sale, repair, dismantling, servicing, or long-term storage of any vehicles or equipment, unless such use is permitted by the zoning district in which the area is located. Any repairs deemed an emergency by the Zoning Administrator is exempt from this requirement.
6. Inoperable vehicles may not be parked in required parking spaces or in any side or front yard and shall be completely screened from view of all surrounding public streets.

B. Minimum number of parking spaces required.

1. The following are the parking space requirements by permitted use:
 - a. For any use not listed, the Zoning Administrator shall determine the proper requirements by classifying the proposed use among the uses specified herein as to assure equal treatment. In making any such determination, the Zoning Administrator shall follow the principles set forth in the statement of purpose for the zoning ordinance in Article I.
 - b. New infill structures or change of use projects on the first floor of structures in Commercial District C-1 and shall be exempt from complying with the requirements of this Section. New uses or changes of use units

above the first floor shall be required to conform to the parking requirements set forth herein.

2. Maximum number of parking spaces.
 - a. The total number of permitted parking spaces shall not exceed 110 percent of the minimum number of off-street parking spaces required by type of permitted use, except when the excess spaces are contained in a parking structure.
 - b. Any parking not included within a parking structure that is between 100 and 110 percent of the minimum number of off-street parking spaces required by type of permitted use shall be "grasscrete" or "grasspave" or other pervious paving systems as approved by the Zoning Administrator.
3. The following table states the minimum number of off-street parking spaces required by use. Any uses not listed would be required to provide the minimum number of parking spaces required by the parent category. When a determination of the number of parking spaces required by this table results in a requirement of a fraction of a space, any fraction shall be counted as one parking space.

Minimum Parking Space Requirements Table

Land Use	Minimum Parking Space Requirements
a. Residential	
1. Single-family residences	2 spaces per dwelling unit in all districts other than R-1, otherwise none
2. Multifamily residences	1 space per one-bedroom dwelling unit, otherwise two spaces per dwelling unit
3. Mixed-use developments	1.5 spaces per dwelling unit; 1 space per dwelling unit for age-restricted; plus 1 additional space per 200 square feet of commercial gross floor area
4. Home occupations	No additional spaces required
5. Accessory dwelling units	1 space per bedroom
6. Child and personal care uses	1 space per 2 employees
7. Institutional residence or care or confinement facilities	1 space per 2 beds
8. Rooming houses, boarding houses	1 space per bedroom
9. Tourist homes, bed and breakfasts, other temporary residences renting by the day or week	1 space per rentable bedroom plus 2 spaces if owner/landlord lives on premises
10. Temporary mobile homes approved in the event of an emergency, construction, or repair	2 spaces per temporary mobile home
b. Sales and Rental of Living Space and Goods	

1. Sales and rental of goods, merchandise or equipment, non-motor vehicle related	1 space per 300 square feet of gross floor area
2. Wholesale sales, with or without outdoor display or storage of goods	1 space per 300 square feet of gross floor area devoted to sales or display, plus one space per 2,000 square feet of gross storage area
3. Hotels, motels and similar businesses or institutions providing overnight accommodations	1 space per unit plus 1 space per 5 units for visitors
4. Extended-stay motels/hotels	1 space per unit plus 1 space per 5 units for visitors
c. Restaurants	
1. Restaurants	1 space per 100 square feet of gross floor area
2. Event center	1 space per 3 seats
d. Motor vehicle-related sales and service operations and modifications	
1. Motor vehicle-related sales and service operations and modifications	Not including outdoor car display areas for dealerships, 1 space per 200 square feet of gross floor area
e. Office, Clerical, Repair, Research and Personal	
1. Services – Office, clerical, repair, research, and personal, not primarily related to the sale of goods and merchandise	1 space per 300 square feet of gross floor area
f. Offices	
1. Services – office, clerical, repair, research, and personal, not primarily related to the sale of goods and merchandise	1 space per 300 square feet of gross floor area
g. Recreation, amusement, and entertainment	
1. Baseball batting range	20 spaces
2. Bowling alleys	5 spaces per alley
3. Golf driving range and/or miniature golf	20 spaces
4. Health clubs and other physical fitness establishments	1 space per 300 square feet
5. Park, playground, community center, swimming pool and other recreational facilities as a principal use	1 space per 2000 square feet of surface area of parks, playgrounds, and/or swimming pools; plus 2 spaces per tennis court; plus 1 space per 500 square feet of recreational facility
6. Theaters (indoors)	1 space per 3 seats
7. Performing arts center	1 space per 3 seats
8. Subdivision recreation area	1 space per 200 square feet of surface area of swimming pools, plus 2 spaces per tennis court,

	plus 1 space per 500 square feet of clubhouse, offices, meeting rooms, or other similar enclosed buildings
h. Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise, or equipment	
1. Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise, or equipment	1 space per 2,000 square feet of gross office, plant, and/or storage
2. Innovator space	1 parking space per 500 square feet
i. Storage and parking	
1. Storage and parking	1 space per 2,000 square feet of gross storage area
j. Services and enterprises related to animals	
Services and enterprises related to animals	1 space per 250 square feet of gross floor area
k. Funeral related services (human and animal related)	
1. Funeral related services (human and animal related)	1 space per 3 seats
l. Educational, cultural, religious, philanthropic, social, or fraternal uses	
1. Public and private schools offering general education courses (including associated grounds and athletic and other facilities)	2 spaces per classroom for K - 8th grade, plus 1 space per teacher or staff member for grades above 8th
2. Trade or vocational schools	10 spaces per classroom
3. College, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)	10 spaces per classroom
4. Assembly halls, including union halls, conference halls, civic halls and activities of similar nature	1 space for every 3 people allowed to occupy the building, as set by the maximum occupancy limit
5. Libraries, museums, art galleries, art centers, and similar uses (including associated educational and instructional activities)	1 space per 300 square feet of gross floor area
6. Place of worship and places of assembly	1 space for every 3 people allowed to occupy the building, as set by the maximum occupancy limit
7. Social, fraternal clubs or lodges, union halls, and similar uses	4 spaces per 1,000 square feet of gross floor area
8. Clubs and lodges catering exclusively to members and their guests	4 spaces per 1,000 square feet of gross floor area
m. Miscellaneous public and semi-public facilities	
1. Miscellaneous public and semi-public	None

facilities	
n. Agricultural, forestry, mining, and quarrying operations	
1. Agricultural, forestry, mining, and quarrying operations	1 space per employee
o. Temporary structures and special events used in connection with the construction of a permanent building or for some non-recurring purpose	
1. Temporary structures and special events used in connection with the construction of a permanent building or for some non-recurring purpose	Regulated on a case-by-case basis

C. Shared parking.

1. Reduction of parking requirements through a shared parking arrangement may be granted by the Zoning Administrator through written request from an applicant and provision of one of the options provided in subsection C.2.
2. Options for a reduction of parking through a shared parking arrangement:
 - a. Option one: For properties sharing parking spaces under this provision, cross-easements shall be filed establishing access to the shared parking spaces in perpetuity and documentation of filing provided to the Town.
 - b. Option two: The minimum number of parking spaces where shared parking strategies are proposed shall be determined by a study prepared by the applicant following the procedures of the Urban Land Institute Shared Parking Report, Institute of Transportation Engineers Shared Parking Guidelines, or other approved procedures with approval by the Zoning Administrator.
 1. The actual number of parking spaces required shall be based on well-recognized sources of parking data such as the Urban Land Institute or Institute of Transportation Engineers reports. If shared parking rates are not available or limited, the applicant may collect data at similar sites to establish local parking demand rates.
 2. If the shared parking plan assumes use of an existing parking facility, then field surveys shall be conducted to determine actual parking accumulation. If possible, these surveys should consider the seasonal peak period for the combination of land uses involved.
 3. Said study must receive Zoning Administrator review and approval. The study shall document that the arrangement shall avoid conflicting parking demands and provide for safe pedestrian circulation and access.
3. Shared parking agreements shall be fully executed and submitted to the Zoning Administrator for review prior to receiving a Certificate of Occupancy.
4. In no case shall the Zoning Administrator approve a reduction of parking through a shared parking arrangement of greater than 25 percent for any use.
5. Any subsequent change in land uses within the participating developments shall require proof that adequate parking will be available. Prior to any change in use, the owner must apply to the Zoning Administrator for an evaluation and

confirmation of the change. If the Zoning Administrator finds that the parking reduction is no longer justified, the Zoning Administrator shall notify the owner to construct the number of parking spaces necessary to meet the difference in the required parking between the proposed and previous uses.

6. A formal parking study may be waived by the Zoning Administrator for small developments where there is established experience with the land use mix and its impact is expected to be minimal.

D. Bicycle parking.

1. Development of new primary buildings in all R-3, CR, C-1, C-2, C-3, H, GBI, M-1, M-2, and OSD districts, other than single-family residential, shall provide bicycle parking spaces at a ratio of at least one bicycle parking space for every 20 automobile parking spaces.
2. No primary building, other than single-family residential, shall have fewer than three bicycle parking spaces nor be required to exceed a maximum of 20 spaces. If three or more bicycle parking spaces are located within 100' of the primary entrance of the proposed development on the same street frontage, they are exempt from this requirement.
3. Bicycle parking spaces shall be located within 20 feet of the front entrance of the primary structure, or as approved by the Zoning Administrator. Bicycle parking spaces shall not interfere with pedestrian access along sidewalks or walkways.
4. Bicycle parking shall provide an inverted U steel frame or decorative rack approved by the Zoning Administrator. The rack shall be anchored to a concrete pad.

E. Golf cart parking.

1. Golf cart parking spaces are permitted in all off-street surface parking lots and parking structures.
2. Each golf cart parking space shall be six feet wide and at least 11 feet deep.
3. Golf cart parking spaces shall be identified by paving markings and by appropriate signage. Signage shall not count against the maximum aggregate sign area permitted on a lot.
4. Permeable pavers shall be used for golf cart parking spaces as approved by the Zoning Administrator.
5. Wheel bumpers shall be placed at the head of all golf cart parking spaces that do not abut a curb. Wheel bumpers shall be made of concrete, a minimum of four feet long, five inches high, and six inches wide and securely fastened to the pavement by steel re-bars or steel anchors.

F. Electric vehicle charging stations.

1. Electric vehicle charging stations are permitted in all off-street surface parking lots and parking structures.
2. Spaces for electric charging shall be identified by paving markings and by appropriate signage. Signage shall not count against the maximum aggregate sign area permitted on a lot.

3. Spaces reserved for electric vehicle charging stations may be counted as part of the minimum required parking spaces but shall not be counted toward the maximum.
4. Any new building with over 20,000 square feet of gross floor area space shall equip at least one required parking space on its property with an electric vehicle charging station prior to receiving a Certificate of Occupancy.
5. The owner of the property shall be responsible for the installation, maintenance, and operation of electric vehicle charging stations. The owner of the property may determine if a fee is associated with the electric vehicle charging station.
6. Electric vehicle charging stations shall be installed per U.S. Green Building Council (USGBC) standards.

G. Parking in non-single-family zoning districts.

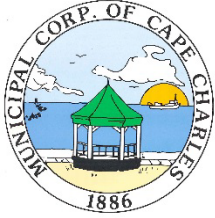
1. *Parking spaces.*
 - a. Off-street surface parking lots shall not be located between the principal building and the street except where otherwise permitted below.
 1. Lots within CR, C-1, C-2, C-3, H, GBI, M-1, and M-2 districts with a lot area of less than 13,000 square feet shall be permitted to have automobile parking located within the front yard only when the following regulations are met:
 - a. Front yard parking shall be limited in area to a maximum of 50 percent of the area of the front yard.
 - b. When permitted, automobile parking is only permitted in front yards when located on the permitted access driveway on a paved surface.
 - c. *Required dimensions for each parking space.* Each automobile parking space shall be not less than nine feet wide and 18 feet deep. Adequate interior driveways shall connect each parking space with a public right-of-way, and each space shall have an overhead clearance of at least 6.5 feet.
 - d. Shall have access to a public street.
 - e. Shall be graded and paved, including access drive(s), and be curbed when needed for effective drainage control, and meet the following requirements:
 1. A minimum depth of six inches of number 21A aggregate base and a minimum of 1.5 inches of asphalt; or
 2. Six inches of concrete on appropriate base; or
 3. Four inches of brick or porous paving block on four inches of number 21A aggregate base.
 4. Permeable pavers may be used for any parking area, alley, or other low traffic driveway as approved by the Zoning Administrator.
 - f. Shall have spaces marked with painted lines, curbstones, or other similar devices, and areas shall be properly maintained in all respects.

Landscaping shall be kept healthy and well maintained, surfaces shall be free of potholes, and lines marking spaces shall be distinct and clear.

- g. Shall be drained so as to prevent damage to abutting properties or public streets and where possible shall be drained towards infiltration swales located in the five-foot, head-to-head landscape strips required between vehicles in Section 4.5.J.1.d.
- h. Shall have adequate lighting if the facilities are to be used at night, provided such lighting shall be arranged and installed so as not to reflect or cause glare on abutting properties. Light poles used in parking lots with 100 parking spaces or less may not exceed 20 feet in height. Light poles 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.
- i. Shall be designed to conform to the geometric design standards of the Institute of Traffic Engineers (ITE) when not expressly required in this section.
- j. Wheel bumpers shall be placed at the head of all parking spaces that do not abut a curb and any spaces that abut a sidewalk. Wheel bumpers shall be made of concrete, a minimum of six feet long, five inches high, and six inches wide and securely fastened to the pavement by steel re-bars or steel anchors. Individual wheel bumpers shall be placed a minimum of 24 inches from the end of each required parking space.
- k. Shall be required to provide handicapped spaces in accordance with the provisions of the Americans with Disabilities Act. All handicapped spaces shall be identified by appropriate restrictive signing and markings.
- l. *Pedestrian circulation.*
 - 1. Parking areas shall be designed to facilitate safe and convenient use by pedestrians.
 - 2. Parking areas with more than 50 cars shall provide safe pathways from aisles of parking to the nearest building entrance and to adjacent streets. Such pathways shall be at least five feet wide and consist of raised pathways constructed of pavers or other contrasting material.

H. Compact parking spaces.

- 1. Developments where 30 or more parking spaces are provided shall be required to provide compact parking spaces, as follows:
 - a. A minimum of five spaces, or ten percent of the total number of parking spaces, whichever is greater, shall be set aside for compact cars.
 - b. A maximum of 25 percent of the total required parking spaces may be set aside for compact cars, up to a maximum of 50 spaces, whichever is less.
 - c. Compact parking spaces shall be identified by pavement markings and/or by appropriate signage.
 - d. Parking spaces for compact cars shall not be less than eight feet wide and 16 feet deep.



PLANNING COMMISSION STAFF REPORT

Meeting Date: November 9, 2022

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

Date: November 3, 2022

REGULAR SESSION: Housing Subcommittee Report

The Housing Committee has continued to meet almost weekly since our last report at the September Planning Commission regular meeting. Through the efforts of Commissioner Grossman, he has taken the “To Do” items contained in the Berkeley Group report “Overcoming Land Use Ordinance Barriers to Housing Development”, which is now posted on the Town website under Government Tab, select Planning Commission, then select Housing Subcommittee or the direct link is: [NorthamptonCounty-BerkleyGroupReportOvercomingLandUseOrdinanceBarrierstoHousingDevelopment1701023048092722PM.pdf \(capecharles.org\)](https://www.capecharles.org/NorthamptonCounty-BerkleyGroupReportOvercomingLandUseOrdinanceBarrierstoHousingDevelopment1701023048092722PM.pdf), and created tables listing each item so that we can discuss and determine if we think that zoning text amendments should be considered by the full Planning Commission.

The subcommittee has substantially completed work on Factors 1 through 3 and are beginning work on Factor 4 – all 4 tracking documents are provided for your review. This material is being provided to you at this point so that you can start digesting this information and depending upon the future workload, we will look to schedule work sessions, most likely starting in January 2023, to take up the housing report/recommendations to the Town’s zoning ordinance.

BACKGROUND

At the September 6, 2022 Planning Commission meeting, the Housing Subcommittee of the Planning Commission, which is comprised of Commissioner Stramm, Commissioner Grossman and Planning & Zoning Administrator Nunez, provided an update on the work of the subcommittee since they began meeting weekly since August 2, 2022 to review, discuss and develop possible revisions to the Cape Charles Zoning Ordinance in response to the analysis contained in the Berkeley Group report entitled “Overcoming Land Use Ordinance Barriers to Housing Development” which was commissioned by Northampton County and included a review of the zoning for the County and all of its incorporated towns.

One of the working documents that was developed by the subcommittee is an Excel Document that provides in a list format all of the uses allowed (either by right or through Conditional Use Permit) and then provides a definition for said use, if one is provided in the ordinance, and then lists whether that use is allowed or not across all of the zoning districts. In addition, a further column was included that categorize the use as either a business or structure. The most recent version of this Excel document is being provided again.

Within that Excel document, there is a second tab which is a spreadsheet for the Accawmacke Plantation Planned Unit Development (PUD) Ordinance and the first tab is the one for the rest of the Town area governed directly by the Cape Charles Zoning Ordinance.

Our committee's focus is on housing and so some of the cells have been highlighted in yellow and that is only to make it easier to find the uses dealing with housing.

Since the zoning ordinance is set up to consider all uses by district, sometimes it is helpful and useful to flip the picture and understand the uses and where they would be allowed throughout Town, including any requiring additional legislative approvals and if the definitions are appropriate and clear to the general user of the zoning ordinance.

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	Uses	Structure vs Business	Section 2.9 Definition (unless otherwise specified)	R-1	R-2	R-3	R-E	CR	C-1	C-2	C-3	Harbor	PUD	OSD	GBI	GBI H1	M-1	M-2
2	Accessory building*	S	BUILDING, ACCESSORY means a subordinate and separate building located upon the same lot occupied by the main structure or where a main structure was previously located. Accessory buildings shall not be used as dwelling units, unless a conditional use permit is issued for an accessory dwelling.	P	P	P	P	P				P	P		P		P	
3	Accessory uses customarily accessory and clearly incidental and subordinate to permitted uses	S	ACCESSORY USE, except as otherwise provided in the zoning district regulations, an accessory use is: 1. a use which is conducted on the same zoning lot as the principal use to which it is related, whether located within the same building or as an accessory structure, or as an accessory use of land, or which is conducted on a contiguous lot in the same ownership, and 2. clearly incidental to, and customarily found in connection with, such principal use, and 3. operated and maintained substantially for the benefit or convenience of the owners, occupants, employees, customers, or visitors of the zoning lot with the principal use.											P				
4	Adaptive reuse of existing structure	S	ADAPTIVE REUSE means the development of a new use for an older building or for a building originally designed for a special or specific purpose. [A new use different than the intended use for which the structure was originally constructed. (Section 3.2.C.6)]	C									C					
5	Agricultural operations (noncommercial)	S	Such as the tilling of soil, the raising of crops, horticulture, forestry, and gardening. (Section 3.1)				P											
6	Arboretum	S														P		P
7	Assembly halls	S										C	C					
8	Auditoriums	S										C	C					
9	Basketball courts, court sports	S		C									C	P				
10	Buildings over 40 ft but equal or less than 50 ft	S														C		
11	Civic and governmental facilities	S										P	P					
12	Commuter parking lot	S														P		
13	Croquet, court sport	S												P				
14	Docks and piers	S												P				

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	Uses	Structure vs Business	Section 2.9 Definition (unless otherwise specified)	R-1	R-2	R-3	R-E	CR	C-1	C-2	C-3	Harbor	PUD	OSD	GBI	GBI H1	M-1	M-2
15	Docks or piers as accessory uses	S			P	P							P					
	Dog Pen	S	DOG PEN means any structure used to enclose and confine domestic canines outside of the principal building or structure on a lot. Pens shall be located only in the rear yard and in accordance with the Town’s zoning regulations. Pens shall be designed to provide the canines with shelter from the elements of nature and constructed in such a manner as not to cause injury to the animal or interfere with movement, vision or respiration. Pens shall be in a clean, dry, and sanitary condition at all times. Animal waste shall not be allowed to accumulate. PEN means a small enclosure used for the concentrated confinement and housing of animals, a place for feeding and fattening animals, or a coop. Enclosed pastures or range with an area in excess of one hundred square feet for each animal shall not be regarded as a pen.	P									P					
16																		
17	Dwelling, Accessory (ADU)*	S	DWELLING, ACCESSORY is a dwelling unit which is an accessory use to a single family dwelling or commercial use in the Commercial – Residential District.	C to P	C to P		C to P	C to P										
18	Dwelling, condominiums, conversion	S	DWELLING, CONDOMINIUM shall mean a single, separately owned dwelling unit in a multi-unit development or structure, with jointly owned and shared areas and facilities.	P	P	P	P	P	P	P	P	P	P		P		P	
19	Dwelling, condominiums, new	S	DWELLING, CONDOMINIUM shall mean a single, separately owned dwelling unit in a multi-unit development or structure, with jointly owned and shared areas and facilities.	C to P	C to P	C to P	P	C to P	C to P	P	P	C to P	P		P		P	
20	Dwelling, cooperatives, conversion	S	Real estate owned by an association, each of the members of which is entitles, by virtue of his ownership interest in the association, to exclusive possession of a unit. (See Code of Virginia Section 55-424 et. seq.)	P	P	P	P	P	P	P	P	P	P		P		P	

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	Uses	Structure vs Business	Section 2.9 Definition (unless otherwise specified)	R-1	R-2	R-3	R-E	CR	C-1	C-2	C-3	Harbor	PUD	OSD	GBI	GBI H1	M-1	M-2
	Dwellings, Manufactured home	S	DWELLING, MOBILE HOME or MANUFACTURED HOME means a special form of one-family dwellings with the following characteristics: 1. designed for long-term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower, and kitchen facilities, with plumbing and electrical connections provided for attachments to outside systems 2. designed to be transported after fabrication on its own wheels 3. arriving complete at the site where it is to be occupied, usually including major appliances and furniture and ready for occupancy except for minor and incidental unpacking and assembly operations, location and provision of support on site, connection with utilities and the like 4. intended to be used other than as a component in a structure two or more stories in height. MANUFACTURED HOUSING means factory built, single-family structures that meet national standards.	P	P	P	P	P										
24																		
25																		
26																		
27																		
	Dwellings, Multi-family	S	DWELLING, MULTI-FAMILY shall mean a building designed for and containing two or more dwelling units.	C		P			C	C	P	C	P/C		P		P	
28																		
	Dwellings, Residential units below or above minimum or maximum SF	S		C									C					
29																		
	Dwellings, Single-family	S	DWELLING, SINGLE FAMILY DETACHED shall mean a single-family dwelling that is located on an individual lot of record.	P	P		P	P	C	C	P	C	P		P		P	
30																		
	Dwellings, Townhouse	S	DWELLING, SINGLE-FAMILY ATTACHED (TOWNHOUSE) shall mean a dwelling unit which is located on an individual lot of record and which is attached to another dwelling unit or any adjoining lot by a common wall.		P	P	P						P		P		P	
31																		
32	Equestrian facilities	S			C	C							C					
33	Equipment storage buildings associated with permitted recreational uses	S												P				

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	Uses	Structure vs Business	Section 2.9 Definition (unless otherwise specified)	R-1	R-2	R-3	R-E	CR	C-1	C-2	C-3	Harbor	PUD	OSD	GBI	GBI H1	M-1	M-2
31	Garages (private) as accessory uses	S	GARAGE, PRIVATE RESIDENTIAL is a structure that is an accessory to a residential building and that is used for the parking and storage of vehicles owned and operated by the residents thereof and that is not a separate commercial enterprise available to the general public.		P	P							P					
32	Gazebos as accessory uses	S			P	P							P					
33	Libraries and galleries	S										P	P			P		
34	Municipal building	S														P		
35	Munical Community Center	S	MUNICIPAL COMMUNITY CENTER. See ‘Neighborhood Community Center.”	P	P								P					
36	Museums and cultural centers	S		P	P							P	P			P		P
37	Natural area	S														P		P
38	Neighborhood community center	S	NEIGHBORHOOD COMMUNITY CENTER is a facility within Residential Districts intended for the use of Town citizens for recreational and educational use.	C									C					
39	Office and meeting spaces for civic orgs	S		C									C					
40	Outdoor recreational uses	S	*Non-commercial recreation uses which are primarily open air									P	P	p*				
41	Parking areas associated with permitted recreational uses*	S												P				
42	Parking as Accessory uses*	S			P								P					
43	Parking, Off-street*	S										C	C					
44	Parking structure	S														P		
45	Parks	S	PARK means a tract of land designated and used by the public for active and passive recreation.									P	P	p*		P		P
46	Parks and playgrounds	S	PLAYGROUND means an active recreational area with a variety of facilities, including equipment for younger children as well as court and field games.	P	P		C						P	p*				
47	Picnic Shelters	S	PICNIC AREA means a place equipped with tables, benches, grills, and trash receptacles for people to assemble, cook, eat, and relax.											P				
48	Plaza	S														P		P
49	Public amenities such as restrooms, bath houses, fountains, etc	S												P				
50	Public buildings	S							P	P	P		P		P		P	
51	Public facilities	S							P	P	P		P		P		P	

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	Uses	Structure vs Business	Section 2.9 Definition (unless otherwise specified)	R-1	R-2	R-3	R-E	CR	C-1	C-2	C-3	Harbor	PUD	OSD	GBI	GBI H1	M-1	M-2
52	Public utilities and services	S	PUBLIC UTILITY means a closely regulated enterprise with a franchise for providing to the public a utility service deemed necessary for the public health, safety, and welfare.	C			P						C					
53	Recreational facilities	S														P		C
54	Recreational facilities as Accessory uses	S				P							P					
55	Residents' community centers as Accessory uses	S				P							P					
56	Retention areas: streets	S				P							P	P				
57	Schools	S		P	P		C						P					
58	Schools (Elementary, middle, or high schools) or institutions [Not trade or business schools]	S			C	C							C					
59	Structures, other than bldgs, exceeding 50 feet	S														C		C
60	Swimming pools as accessory use*	S			P	P							P					
61	Swimming pools*	S		C									C	P				
62	Tennis courts	S		C									C	P				
63	Tennis courts as accessory use	S			P	P							P					
64	Utility (Public Utility Facility)	S	PUBLIC UTILITY FACILITY means any building, structure, and facility including generating and switching stations, poles, lines, pumping stations, repeaters, antennas, transmitters, and receivers, valves, and all buildings and structures relating to the furnishing of utility services, such as electric, gas, telephone, water, sewer, and public transit, to the public.									P	P	P				
65	Utility installations	S	UTILITY INSTALLATION. See Public Utility Facility.			P							P		P	P		C
66	Volleyball, court sport	S												P				
67	Water storage tank	S														P		C
68	Animal Hospital and kennels*	B													P			
69	Antique shops	B						P	P	P	P		P		P		P	
70	Antique shops ≤ 2500 SF gross floor area	B										P	P					
71	Antique shops > 2500 SF gross floor area	B										C	C					
72	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.	B							P	P	P		P		P		P	

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	Uses	Structure vs Business	Section 2.9 Definition (unless otherwise specified)	R-1	R-2	R-3	R-E	CR	C-1	C-2	C-3	Harbor	PUD	OSD	GBI	GBI H1	M-1	M-2
73	Any other use is S-C District ????	B							P	P	P		P		P		P	
74	Any other use which is compatible in nature with the foregoing <u>permitted and conditional</u> uses and which the Zoning Administrator determines to be compatible with the intent of the District and is concurred with by the Planning Commission.	B										C	C					
75	Any other use which is compatible in nature with the foregoing <u>permitted</u> uses and which the Zoning Administrator determines to be compatible with the intent of the district and is concurred with by the Planning Commission.	B						P					P		P		P	
76	Any other light industry as determined by the ZA to be compatible use in this diestricht	B													P			
77	Any other use as determined by the Zoning Administrator to be a compatible use with this district	B															P	
78	Accessory uses: customarily associated and clearly incidental and subordinate to the principal uses and structures and temporary licensed uses such as festivals, displays, outdoor entertainment, outdoor gatherings, performances, and outdoor open-air markets.	B													P			
79	Accessoru uses: Only those that are customarily accessory and clearly incidental and subordinate to the principal uses and structures.	B														P		P
80	Temporary licensed uses such as art festivals, displays, educational exhibits, outdoor gatherings or performances, and outdoor food markets.	B														P		P
81	Adult care center	B														P		
82	Agriculture	B														P*		P
83	Aquaculture	B														P		P
84	Art galleries	B						P					P		P	P	P	
85	Art shops	B							P	P	P		P		P		P	

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	Uses	Structure vs Business	Section 2.9 Definition (unless otherwise specified)	R-1	R-2	R-3	R-E	CR	C-1	C-2	C-3	Harbor	PUD	OSD	GBI	GBI H1	M-1	M-2
86	Assembly of electrical appliances, electronic instruments and devices, radios, and phonographs	B															P	
87	Athletic clubs	B						P				P	P		P		P	
88	Auditoriums, theaters, and assembly halls	B							P	P	P		P		P		P	
89	Automobile and truck painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, overhauling, tire re-treading or recapping	B															P	
90	Automobile repair and small engine repair	B							P	P	P		P		P		P	
91	Automobile service stations*	B							P	P	P		P		P		P	
92	Bait and tackle shops	B										P	P					
93	Bakeries, confectionaries	B						C	P	P	P	P	P/C		P		P	
94	Beauty and barber shops	B						P	P	P	P		P		P		P	
95	Beauty and barber shops ≤ 2500 SF gross floor area	B										P	P					
96	Beauty and barber shops > 2500 SF gross floor area	B										C	C					
97	Bed and breakfasts	B	BED AND BREAKFAST or TOURIST HOME means a single-family dwelling containing sleeping and/or breakfast accommodations as an accessory use to the principal use. Such lodging shall have room accommodations for transient persons and wherein a charge is normally paid for such accommodations.	C				P	P	P	P	C	P/C		P		P	
98	Bicycle and moped sales and rentals	B							P	P	P		P		P		P	
99	Bicycle shops	B						C					C					
100	Bicycle, Moped sales and rentals ≤ 2500 SF gross floor area	B										P	P					
101	Bicycle, Moped sales and rentals > 2500 SF gross floor area	B										C	C					
102	Blacksmith shops	B															P	
103	Blueprinting shops	B							P	P	P		P		P		P	
104	Blueprinting shops ≤ 2500 SF gross floor area	B										P	P					
105	Blueprinting shops > 2500 SF gross floor area	B										C	C					
106	Boat and marine engine repair shops	B										C	C					
107	Boat rentals	B										P	P					
108	Boat sales	B							P	P	P		P		P		P	
109	Boat building, repairing, repainting, rebuilding and reconditioning	B															P	
110	Boatels	B										C	C					

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	Uses	Structure vs Business	Section 2.9 Definition (unless otherwise specified)	R-1	R-2	R-3	R-E	CR	C-1	C-2	C-3	Harbor	PUD	OSD	GBI	GBI H1	M-1	M-2
111	Bookstores, new and used ≤ 2500 SF gross floor area	B										P	P					
112	Bookstores, new and used > 2500 SF gross floor area	B										C	C					
113	Building materials sales yards	B															P	
114	Bottling, assembly, processing*	B													P			
115	Business studios, offices and clinics	B							P	P	P		P		P		P	
116	Business service establishment (including mail order or electronic catalog sales)	B														P		
117	Business studios	B										P	P					
118	Café and coffe ships	B						C					C					
119	Camera shops	B						P					P		P		P	
120	Camera shops ≤ 2500 SF gross floor area	B										P	P					
121	Camera shops > 2500 SF gross floor area	B										C	C					
122	Candy stores	B						P					P		P		P	
123	Candy stores ≤ 2500 SF gross floor area	B										P	P					
124	Candy stores > 2500 SF gross floor area	B										C	C					
125	Card shop	B							P	P	P		P		P		P	
126	Card shops ≤ 2500 SF gross floor area	B										P	P					
127	Card shops > 2500 SF gross floor area	B										C	C					
128	Carpet and flooring sales	B							P	P	P		P		P		P	
129	Catering services	B							P	P	P	P	P		P		P	
130	Child care facilities (conducted in church, synagogue, or similar place of worship or elementary, middle, or high school or institution of higher learning)	B			C	C							C					
131	Childcare and childcare education centers	B										C	C					
132	Childcare centers	B	CHILD CARE CENTER means any facility, other than a family home, established for providing childcare, supervision, and protection of children.						P	P	P		P		P		P	
133	Child day care center	B														P		
134	Churches and other places of worship	B	CHURCH means a building or structure, or groups of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses.	P	P		C						P					
135	Churches, synagogues, or similar places of worship	B	PLACE OF WORKSHIP shall mean a building where persons regularly assemble for religious purposes and related social events and which is maintained and controlled by a religious body organized to sustain religious ceremonies and purposes.		C	C							C					
136	Clothing stores	B						P					P		P		P	

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	Uses	Structure vs Business	Section 2.9 Definition (unless otherwise specified)	R-1	R-2	R-3	R-E	CR	C-1	C-2	C-3	Harbor	PUD	OSD	GBI	GBI H1	M-1	M-2
137	Clothing stores ≤ 2500 SF gross floor area	B										P	P					
138	Clothing stores > 2500 SF gross floor area	B										C	C					
139	Coal yards	B											P				P	
140	Commercial recreation uses	B											P					
141	Communications center	B														P		
142	Concrete plant manufacturing, sales, and distribution of concrete and related products	B																P
143	Conference Centers	B						C				P	P			P		C
144	Crafts markets	B										C	C					
145	Day care centers	B						C					C					
146	Day spas	B						P					P		P		P	
147	Delicatessens	B						C	P	P	P	P	P		P		P	
148	Dressmaking, tailoring, and millinery shops	B							P	P	P		P		P		P	
149	Dressmaking, tailoring, millinery ≤ 2500 SF gross floor area	B										P	P					
150	Dressmaking, tailoring, millinery > 2500 SF gross floor area	B										C	C					
151	Drug stores	B							P	P	P		P		P		P	
152	Dry cleaning ≤ 2500 SF gross floor area	B										P	P					
153	Dry cleaning > 2500 SF gross floor area	B										C	C					
154	Dry cleaning shops	B							P	P	P		P		P		P	
155	Dry goods stores	B						P					P		P		P	
156	Dry goods stores ≤ 2500 SF gross floor area	B										P	P					
157	Dry goods stores > 2500 SF gross floor area	B										C	C					
158	Eating and drinking establishments	B							P	P	P		P		P		P	
159	Education centers (Childcare)	B							P	P	P		P		P		P	
160	Educational facilities	B										P	P					
161	Educational institution	B														P		C
162	Emergency medical services, facilities	B													P	P		P
163	Entertainment establishments	B										C	C					
164	Equipment storage yards, contractors	B															P	
165	Equipment, plant storage or rental commonly used by contractors	B															P	
166	Fabric stores	B							P	P	P		P		P		P	
167	Farmers' markets	B										C	C					
168	Feed and seed stores	B															P	
169	Financial institutions	B							P	P	P		P		P		P	
170	Financial institutions	B										P	P					
171	Fire services, facilities	B													P	P		P
172	Fishery	B														P		P
173	Flex industrial use	B														P		
174	Florists	B						P	P	P	P		P		P		P	

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[illegible]

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	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	Uses	Structure vs Business	Section 2.9 Definition (unless otherwise specified)	R-1	R-2	R-3	R-E	CR	C-1	C-2	C-3	Harbor	PUD	OSD	GBI	GBI H1	M-1	M-2
238	Post office, drop off and pick up	B														P		
239	Plumbing suply stores	B															P	
240	Printing service	B														P		P
241	Public Utility Facility	S	PUBLIC UTILITY FACILITY means any building, structure, and facility including generating and switching stations, poles, lines, pumping stations, repeaters, antennas, transmitters, and receivers, valves, and all buildings and structures relating to the furnishing of utility services, such as electric, gas, telephone, water, sewer, and public transit, to the public. UTILITY INSTALLATION. See Public Utility Facility.									P	P	P				
242	Public Utilities substation*	S														P		C
243	Public Utility service center	B														P*		C
244	Radio and television sales	B							P	P	P		P		P		P	
245	Rail and/or intermodal terminals, including transfer, storage, handling, inspection, processing and/or transport of containerized bulk and/or other cargo	B														P		
246	Railroad tracks, sidings, yards, or roundhouses	B																P
247	Real estate sales and rentals	B						P				P	P		P		P	
248	Recording studio	B														P		C
249	Research, experimental testing, or development activities	B														P		P
250	Restaurants	B	RESTAURANT means an establishment where food and drink are prepared and served and consumed primarily within the principal building.					C	P	P	P	P	P/C		P	P*	P	
251	Retirement homes	B	CONTINUING CARE RETIREMENT COMMUNITY is an age-restricted development that provides a continuum of accommodations and care, from independent living to long-term bed care, and enters into contracts to provide lifelong care in exchange for the payment of monthly fees and an entrance fee in excess of one year of monthly fees.							P	P		P		P		P	
252	Sail and canvas making and repair	B										P	P					
253	Schools (business and vocational)	B							P	P	P		P		P		P	
254	Schools (Commercial)	B							P	P	P		P		P		P	
255	Sheet metal shops	B															P	
256	Ship stores and chandleries	B										P	P					

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	Uses	Structure vs Business	Section 2.9 Definition (unless otherwise specified)	R-1	R-2	R-3	R-E	CR	C-1	C-2	C-3	Harbor	PUD	OSD	GBI	GBI H1	M-1	M-2
257	Shipping facilities	B													P			
258	Stationery shops	B							P	P	P		P		P		P	
259	Stationery shops ≤ 2500 SF gross floor area	B										P	P					
260	Stationery shops > 2500 SF gross floor area	B										C	C					
261	Storage, outdoor*	B														P		C
262	Storage Facilities	B													P		P	
263	Any telecommunication, television, or radio microwave dishes or antennas	B														P		C
264	Theaters	B										C	C					
265	Tobacco stores	B						P					P		P		P	
266	Tobacco stores ≤2500 SF gross floor area	B										P	P					
267	Tobacco stores > 2500 SF gross floor area	B										C	C					
268	Tourist homes	B	BED AND BREAKFAST or TOURIST HOME means a single-family dwelling containing sleeping and/or breakfast accommodations as an accessory use to the principal use. Such lodging shall have room accommodations for transient persons and wherein a charge is normally paid for such accommodations.	C								C	C					
269	Training center (excluding rehabilitation and institutional facilities)	B														P		
270	Transporation facilities	B	TRANSPORTATION FACILITY is any structure or facility that is primarily used, as part of a transit system, for the purpose of loading, unloading, or transferring passengers or accommodating the movement of passengers from one mode of transportation to another.										P					
271	Upholstering shops	B							P	P	P		P		P		P	
272	Upholstering shops and fabric stores ≤ 2500 SF gross floor area	B										P	P					
273	Upholstering shops and fabric stores > 2500 SF gross floor area	B										C	C					
274	Utility generating plant and transmission facility using renewable energy sources	B														P		C
275	Video stores	B						P					P		P		P	
276	Video stores ≤ 2500 SF gross floor area	B										P	P					
277	Video stores > 2500 SF gross floor area	B										C	C					
278	Warehouses	B													P	P*		P

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	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	
1	Uses	Structure vs Business	Section 2.9 Definition (unless otherwise specified)	R-1	R-2	R-3	R-E	CR	C-1	C-2	C-3	Harbor	PUD	OSD	GBI	GBI H1	M-1	M-2	
325																			
326																			
327																			
328																			
329																			
330																			
331																			
332																			
333																			
334																			
335																			
336																			
337																			
338																			
339																			
340																			
			<u>Are these Article II definitions appropriate for permitted/CUP table or more appropriately used elsewhere in zoning ordinance?</u>					Article II Usage besides immediate definition	Article III Usage	Article IV Usage									
341																			
342			APARTMENT HOUSE means a building used or intended to be used as the residence of three or more																
343			APARTMENT UNIT is considered one or more rooms with private bath and kitchen facilities																
			BOARDING HOUSE or ROOMING HOUSE means a dwelling unit or part thereof in which, for compensation, lodging and meals are provided; personal and financial services may be offered as well.					Used in def of guest house		Parking req'ts									
344																			
345			CARRY-OUT RESTAURANT means an establishment that by design of the physical facilities, service, or																
			DRIVE-THROUGH ESTABLISHMENT/RESTAURANT shall mean a business establishment so developed that its retail or service character includes providing a driveway approach and service window for motor vehicles so as to serve patrons as they are seated in the motor vehicle and passing by the service window rather than serving them from within a building.						Prohibited Harbor and GBI districts	Used in definition of Menu Board and parking req'ts									
346																			
								Used in def of acc bldg		Contains req'ts for									
347								Section 2.8											
348										Parking Req'ts									
349			EVENT CENTER shall mean a multi-purpose facility generally used for meetings, parties, banquets, weddings, and other social gatherings, conventions, and the display of merchandise by a variety of																
350			GUEST HOUSE means living quarters on the same premises with the main building for use by																
351			INN means a commercial facility for the housing and feeding of transients.																
352			INNOVATOR SPACE shall mean a space in an existing or new building that is designed to support innovative design, fabrication and wholesale or retail sales of small articles that are unique in design							Parking req'ts									

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
1	Uses	Structure vs Business	Section 2.9 Definition (unless otherwise specified)	R-1	R-2	R-3	R-E	CR	C-1	C-2	C-3	Harbor	PUD	OSD	GBI	GBI H1	M-1	M-2
353			KENNEL means a commercial establishment in which dogs or domesticated animals are housed, groomed, bred, boarded, trained, or sold, all for a fee. This includes any building or premises used, designed, or arranged for the boarding or breeding or care of four or more dogs, cats, or other domesticated pets of at least six months of age.							GBI	Excluded in home based occ							
354			LODGING HOUSE means a facility in which rental sleeping accommodations are provided and in															
355			MIXED USE DEVELOPMENT is the development of a tract of land, building, or structure with a variety of complementary and integrated uses, such as but not limited to, residential, office, manufacturing, retail, public, or entertainment in a compact urban form.						Used in def of res property	C-1 Intent describes 'mixed use'	Parking req'ts							
356			MOBILE HOME PARK is a site containing space with the required improvements and utilities that are leased for the long-term placement of manufactured houses and that may include services and facilities for the residents.								Landscapi ng and parking req'ts							
357			PARKING LOT OR PARKING GARAGE shall mean an area or building designated and designed for the temporary storage of vehicles.							Parking lot contained in PUD coverage	Lot: Landscape and parking req'ts							
358			PLANNED UNIT DEVELOPMENT means an area of minimum contiguous size as specified by this ordinance to be planned, developed, operated, and maintained as a single entity and containing one or more residential clusters or planned unit residential developments and one or more public, quasi-							Distinct zoning district								
359			PRINCIPAL BUILDING shall mean a building in which is conducted the principal permitted use(s) of the lot on which said building is situated.						Used within other definitions	Used in description of various districts	Term used in parking req'ts							
360			PUBLIC AREA means any park, playground, trail, path, or other recreational area and open space;															
361			RESIDENTIAL PROPERTY shall mean all property used for single-family detached, single-family attached, or multifamily residences, or mixed-use development that contains one or more dwelling units.							Residentia l' term used in districts	Residentia l' term used in districts							

Uses	Structure vs Business	PUD Article 2 Definition (unless otherwise specified)	R-1	R-2	R-3	Village	SC	C	GBI	PD-STIP	CO
18 Dwelling, townhouse	S	Single family dwelling with one exterior wall on a side property line.			P	P					
19 Dwelling, zero lot line	S			P	P	P					
Equestrian facilities*	S	A facility that may include all or some of the following functions and structures: horse training, riding instruction, horse boarding, horse breeding, horse layup and therapy, stables, show ring, event seating, parking, outside riding course, practice ring, schooling ring, riding trails, pastures, paddocks, turnouts, feed and supply storage, trailer parking and storage, tack store and meeting rooms and maintenance equipment storage.	C	C	C	C					
20											
Garages, private	S	Accessory building designed or used for the storage of automobiles, trailerable boats or trucks not exceeding ½ ton owned and used by the occupants of the dwelling to which it is accessory.	P	P	P	P					
21											
22 Gazebos	S		P	P	P	P					
23 Harbor master office	S					P	P				
24 Libraries, public	S					P	P				
25 Library	S									P	
26 Municipal building	S									P	
27 Museums	S							P	P	P	
28 Natural area	S									P	
Open air non-commercial	S										
29 recreational uses	S										P
30 Parking	S				P	P					P
Parking areas associated with	S										P
31 permitted recreational uses*	S										
32 Parking garages	S					P	P	P	P		
33 Parking lots	S					P	P	P	P		
34 Parking lots, commuter	S									P	
35 Parking structure	S									C	
Parks	S	A tract of land set aside by the developer for recreation and/or open space.								P	
36											
37 Parks*	S							P	P		

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Uses	Structure vs Business	PUD Article 2 Definition (unless otherwise specified)	R-1	R-2	R-3	Village	SC	C	GBI	PD-STIP	CO
57 Adult Care Center	B									P	
58 Agriculture (excluding livestock)	B									P	
59 Antique shops	B					P	P	P	P		
Any other commercial or professional use which is comparable in nature with the foregoing uses and which the Administrator determines to be compatible with the intent of this District.	B					P	P	P			
60 Any other special commercial use which is comparable in nature with the foregoing uses and which the Zoning Administrator determines to be compatible with the intent of this District.	B					P					
61											
62 Appliance store	B							P	P		
63 Aquaculture	B									P	
64 Art gallery	B							P	P	P	
65 Art studios	B					P	P	P	P		
66 Art supply shops	B							P	P		
67 Athletic clubs	B					P	P	P	P		
68 Auction houses	B							P	P		
69 Auditoriums	B					P	P	P	P		
70 Automobile parts stores	B							P	P		
Automobile service stations (with or without convenience store)*	B							P	P		
71											
72 Bakery shops	B					P	P	P	P		
73 Banks	B					P	P	P	P		
74 Barber shop	B					P	P	P	P		
75 Bath supply stores	B					P	P	P	P		
76 Beach club	B					P	P				
77 Beauty Shop	B					P	P	P	P		
78 Bed & Breakfast	B					P	P				
79 Bicycle rentals	B					P	P				
80 Bicycle sales, services and repair	B							P	P		
81 Blue print shop	B					P	P	P	P		
82 Boat rental and sales	B					P	P				
83 Book stores	B					P	P	P	P		
84 Bottling, assembly and processing*	B								P		
85 Broadcasting studios	B							P	P		

Uses	Structure vs Business	PUD Article 2 Definition (unless otherwise specified)	R-1	R-2	R-3	Village	SC	C	GBI	PD-STIP	CO
86 Building maintenance service	B							P	P		
87 Building supplies	B							P	P		
88 Business machine services	B							P	P		
89 Business office	B					P	P	P	P		
90 Cabinet shops	B							P	P		
91 Cafe	B					P	P				
92 Camera shop	B					P	P				
93 Car rental	B					P	P				
94 Car wash	B							P	P		
95 Carpet and floor covering sales	B							P	P		
Child care facility*	B	Any facility operated for the purpose of providing care, protection and guidance to a group of children separated from their parents or guardians during a part of the twenty-four hour day	C	C	C	C					
96											
Child day care center	B	Any facility operated for the purpose of providing care, protection and guidance to a group of children separated from their parents or guardians during a part of the twenty-four hour day				P	P	P	P	P	
97											
98 Chiropractor office	B							P	P		
99 Churches and other places of worship	B					P	P				
100 Clinic	B							P	P		
101 Clothing stores	B					P	P				
102 Clubs, fraternal and social	B							P	P		
103 Clubs, private	B					P	P	P	P		
104 Commercial schools	B					P	P				
Communication and	B									P	
105 telecommunication centers	B							P	P		
106 Communication services	B							P	P		
107 Confectionery and candy stores	B					P	P	P	P		
108 Conference centers	B					P	P	P	P	P	
Customarily accessory and clearly incidental and subordinate to the	B					P	P	P	P	P	
109 principal uses and structures											
110 Dealerships, auto, light truck	B							P	P		
111 Dealerships, boat	B							P	P		
112 Delicatessen	B					P	P	P	P		
113 Dental office	B							P	P		
114 Department stores	B							P	P		

Uses	Structure vs Business	PUD Article 2 Definition (unless otherwise specified)	R-1	R-2	R-3	Village	SC	C	GBI	PD-STIP	CO
115 Drapery shops	B							P	P		
116 Driving Range	B										P
117 Drug stores	B					P	P	P	P		
118 Dry cleaning shops	B							P	P		
119 Dry cleaning shops (collecting and delivery only)	B					P	P				
120 Dry goods stores	B					P	P	P	P		
121 Educational institution	B									C	
122 Electrical supply store	B							P	P		
123 Emergency Medical Services	B								P	P	
124 Employment agencies	B							P	P		
125 Equestrian facilities	B							P	P		
126 Equestrian facilities and trails	B					P	P				
127 Equipment and machinery, retail sales in open yards*	B							P	P		
128 Equipment rental stores	B							P	P		
129 Feed and grain sales	B							P	P		
130 Financial institutions	B					P	P	P	P		
131 Fire facilities	B								P	P	
132 Fish markets	B					P	P	P	P		
133 Fishery	B									P	
134 Fishing shops, bait & tackle	B					P	P	P	P		
135 Florist shops	B					P	P	P	P		
136 Food production, packaging, packing and canning	B									C	
137 Forestry	B									P	
138 Funeral homes	B							P	P		
139 Furniture refinishing	B							P	P		
140 Furniture stores	B							P	P		
141 Furrier shops	B							P	P		
142 Garden supply stores	B							P	P		
143 Gift shops	B					P	P	P	P		
144 Glass and mirror sales	B							P	P		
145 Golf cart storage and golf maintenance facilities	B										P
146 Golf course	B	A publicly or privately owned course, on which the game of golf is played, which may include related uses such as buildings customary thereto, and driving ranges.									P
147 Golf halfway houses	B										P
148 Gourmet shops	B					P	P	P	P		

[illegible]

Uses	Structure vs Business	PUD Article 2 Definition (unless otherwise specified)	R-1	R-2	R-3	Village	SC	C	GBI	PD-STIP	CO
171 Manufacture, processing, fabrication and/or assembly of products such as, but not limited to: scientific and precision instruments, renewable energy technology components, photographic equipment, communication equipment, aircraft or satellite parts, computation equipment, drugs, medicines, medical equipment, pharmaceuticals, household items, glass products, electric lighting and wiring equipment, service industry machines, industrial controls, optical goods and electrical equipment;	B									C	
172 Marinas, but not limited to: commercial fishing facilities, dock facilities, landside facilities, fuel storage and dispensing, boat ramps, dry stack storage, boat repair facilities, boat storage yard, millinery shops, music stores, meeting rooms, movie and stage theaters, museums, malls – indoor and outdoor	B					P	P				
173 Markets	B					P	P				
174 Markets, food	B							P	P		
175 Medical care facility, outpatient only	B									P	
176 Medical office	B							P	P		
177 Millinery shops	B							P	P		
178 Motorcycle sales, services and repair	B							P	P		
179 Music stores	B							P	P		
180 News stores	B							P	P		
181 Newstands	B					P	P				
182 Nightclubs	B					P	P				
183 Nurseries	B							P	P		
184 Nutrition centers	B							P	P		

[illegible]

[illegible]

Uses	Structure vs Business	PUD Article 2 Definition (unless otherwise specified)	R-1	R-2	R-3	Village	SC	C	GBI	PD-STIP	CO
243 Upholstery shops	B							P	P		
244 Utility generating plant	B									C	
Utility substations provided storage or maintenance facilities shall not be permitted*?????	B									C	
245 Utility, public service center without outdoor storage	B									C	
246 Variety stores	B							P	P		
248 Vehicle rentals	B							P	P		
Veterinarian offices and clinics (no outside kennels)	B					P	P	P	P		
249 Video stores	B					P	P	P	P		
251 Wallpaper stores	B					P	P	P	P		
252 Warehousing	B								P	C	
Watch and precision instrument sale and repair	B					P	P	P	P		
253 Water-skiing sales	B					P	P				
254 Wholesale trade establishment	B									C	

Legend
P = Permitted by-right
C = Conditional use permit
R-1 = Low Density Residential District
R-2 = Medium Density Residential District
R-3 = Multi-family Residential District
SC = Specialty Commercial District
C = Commercial District
GBI = General Business/Industrial District
CO = Conservation - Open Space
PD-STIP = Planned Development Sustainable Technologies ECO-Industrial Park
Village = Village District
* Note that PUD contains conditions/restrictions associated with a particular usage

Review of 'Overcoming Land Use Ordinance Barriers to Housing Development' Report (May 27,2022)

Factor 1: Diversity of Housing Stock

Item	Study Recommendation/ Comment	Study Reference Location	Town's Substantiation/Reference Location	Planning Commission Recommendations/ Actions and rationale	Recommendation Pros and Cons
1	Finding: Accessory dwelling units should be permitted more broadly across the localities. - Though some localities limit ADU residency to family members, this is not recommended as it is a difficult provision to enforce and limits the ability to create affordable rental options. - ADUs are not listed as permitted uses in the Town of Cape Charles. Expanding the permission of ADUs provides opportunity for additional affordable housing and aging in place.	P.17	Cape Charles does not limit occupants of ADU to family members. ADUs can be occupied by owners, family members or renters > 30 days duration. One accessory dwelling may be maintained on a property in the R-E, R-1, R-2 and CR zoning districts, <u>contingent upon approval as a conditional use</u> in accordance with Section 4.3. Section 4.2.J. Accawmacke Plantation PUD does not address ADUs.	No changes recommended. WIP: Planning Commission/ Town Council currently revising ADU ordinance and considering removal of conditional use permit requirement (i.e., allow by-right). WIP: Prior ZA allowed ADUs in Acc. PUD. As of July 2021, current ZA does not allow for ADUs in PUD. Preserve Comm. is currently working on PUD update that will require PC/TC review and approval.	Pro: Ordinance has sufficient requirements to allow review and approval by ZA. Reduces process time by eliminating public hearings and PC and TC engagement.
2	Finding: Impacts of Tourist/Transient Housing and Alternative Structures on Housing Cape Charles uses the term short-term rental. Taking a comprehensive look at the tourist/transient housing group across all localities	P.17	Cape Charles' ordinance uses Tourist Home (a single-family dwelling containing sleeping and/or breakfast accommodations as an <u>accessory use to the principal use</u>), although	WIP: The PC/TC work session for updating the town's comp plan has added a strategy for addressing STR	

	reveals that each locality permits some form of these tourist/transient or “short-term” rentals by-right. Studies show that short-term rentals and similar tourist and transient housing can negatively affect housing affordability if they are not owner-occupied dwellings. Owner-occupancy can be a requirement as a performance standard for these uses.		transient occupancy is defined within the town’s tax code. Currently there are no restrictions re the number of SRTs in the town. Town Code, Article IV – Transient Occupancy Tax. <i>Transient</i> means any person(s) who, for any period of not more than 30 consecutive days, either at his own expense or at the expense of another, lodges or obtains lodging at any hotel, motel tourist home, or other facility. Town Code, Article I – In General. Section 18-5 – Rental certificates of occupancy are required. Acc. PUD contains definition of Guest Room: a bedroom for one or more guests paying compensation for temporary lodging. (Page 6-3) The only use of Guest Room was found in definition of HOTEL.	impacts on existing housing stock in order to protect the quality of life for year-round residents. Recommendation: Substitute Short-term Rental for Tourist Home.	Pro: beneficial to update terminology to more current use.
3	Finding: Impacts of Tourist/Transient Housing and Alternative Structures on Housing Alternate structures for housing, such as tiny houses and yurts, are not specifically identified as permitted uses within the community. It is unclear whether any other code interpretation would allow this use. Studies debate the benefits of tiny homes or alternative structures as affordable housing options. Some localities require approval of conditional use permits.	P. 17	The minimum dwelling unit size is 960 SF excluding garages, porches, patios, etc. in R-1 and CR districts. In R-2 and R-3, each single-family dwelling and single-family patio dwelling shall have a minimum habitable area of 1,000 square feet. Each dwelling unit in the duplex shall have a minimum habitable area of 850 square feet. {Article III} Acc PUD: R-1. No minimum. R-2, Each single-family dwelling and single-family patio dwelling shall have	Recommendations: 1. In R-1 district, primarily historic, do not lower below 960 SF and allow for duplexes with stipulations 2. In R-3 district, change to % of lot size in lieu of SF minimum and allow for duplexes. 3. In CR district, convert to % of lot size on non-conforming lots (< 5600 SF) and allow for duplexes. Keep conforming lots at 960	

	Note that 1977 zoning ordinance did not permit multiplexes (e.g., duplexes) and considered those existing as non-conforming. Section 2.5.5 re Occupancy of Vacant Non-Conforming Buildings or Structures was revised (2004) to include 'Existing duplexes, specifically designed as such, are exempt from the four-year vacancy stipulation.'		a minimum habitable area of 1,000 square feet. Each duplex shall have a minimum habitable area of 850 square feet. R-3, 1000 SF min.	sq.ft. minimum as currently written. Subcommittee action: any limitations on duplexes relative to parking or use as STR? Summit has ideas for this.	
4	Recommendation 1: Create a consolidated use table/matrix similar to the table in Northampton County's ordinance, to clearly identify permitted uses within each district to ease interpretation and usability	P.18	Currently Cape Charles provides by-right and conditional uses by district (i.e., not in table form). (Article III and Acc PUD)	Action items: Completed Recommendation: Adopt table format for permitted (by-right) and conditional uses.	Pro: Ease of use by ZA and potential applicants in quickly determining where a particular use can be used within a district and whether it is permitted or conditional.
5	Recommendation 2: Modernize/expand permitted uses. Modernize permitted use lists in ordinances to incentivize and facilitate a diverse range of housing types not currently permitted, such as accessory dwelling units and middle housing (4–8-unit buildings) in appropriate zoning districts.	P.18	Action for Paul to investigate what incentives others have offered. <u>Incentives include</u> <u>Density bonus</u> <u>Expedited processing</u> <u>Fee waivers</u> <u>Parking reduction</u> <u>Tax abatement</u> <u>Direct subsidy</u>	Action item: 1. Subcommittee to Review options for incentivizing diverse range of housing options. Examples, density, height. Recommendation 1. Change uses as shown in attached table.	Pro: Update for permitting and conditional uses would bring it to more current terms. Allowing ZA more discretion would minimize processing time.
6	Recommendation 3: Expand flexibility in residential use permissions. Examine whether residential uses that currently require approval of a special (or conditional) use	P.18		See item 4.	

	permit may be appropriate by right with accompanying use/development standards. [Code of Virginia § 15.2-2288.1 specifically prohibits a locality from requiring special (or conditional) use permit approval for residential dwellings proposed in compliance with the use, height, and density permitted by-right under the zoning district regulations.]				
7	Recommendation 4: Evaluate manufactured home parks and subdivisions as affordable housing options.	P.18	MANUFACTURED HOUSING means factory built, single-family structures that meet national standards. Section 2.9 Definitions R-E District allows for manufactured homes 19 or more feet in width on permanent foundation on lots > 1500 SF and min roof pitch 8:12. Section 3.1 Cape Charles zoning map does <u>not</u> reflect an R-E district.	WIP: Need to address manufactured housing. The PC/TC work session on the update to the comp plan included a strategy: In accordance with the Code of Virginia Sec 15.2-2223.5, ensure that manufactured homes remain a source of affordable housing. Cape Charles currently defines Manufactured Homes as a special one-family dwelling with certain conditions. Therefore, a manufactured Home meeting all the zoning requirements contained within districts for single-family houses, they are permitted. “DWELLING, MOBILE HOME or MANUFACTURED HOME means a special form of ‘one-family dwellings’ with the following characteristics.....”	

	"Manufactured home" means a structure subject to federal regulation, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. "Manufactured home" does not include a park model recreational vehicle, which is a vehicle that is (i) designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal use; (ii) not permanently affixed to real property for use as a permanent dwelling; (iii) built on a single chassis mounted on wheels; and (iv) certified by the manufacturer as complying with the American National Standards Institute (ANSI) A119.5 Park Model Recreational Vehicle Standard. [§ 46.2-100. Definitions.] A manufactured home is NOT a modular home. "Modular building" means, but is not limited to, single and multifamily houses, apartment units, commercial buildings, and permanent additions thereof, comprised of one or more sections that are intended to become real property, primarily constructed at a location other than the permanent site, built to comply with the Virginia Industrialized Building Safety Law (§ 36-70 et seq.) as regulated by the Virginia Department of Housing and Community Development, and shipped with most permanent components in place to the site of final assembly. (§ 58.1-602. (Effective October 1, 2022))			We do recommend that a Manufactured Home is placed on a permanent foundation. See Factor 3 table for review of definitions.	
8	Recommendation 5: Amend ordinances to ensure uses comply with the Code of Virginia. Ordinance for Cape Charles, should be amended to comply with the Code of Virginia § 15.2-2292.1 relative to temporary family health care structures.	P.18	Cape Charles' zoning ordinances do not address 'temporary family health care structures'.	WIP: Comp Plan consultant will be conducting a review of ordinances to determine mismatches	

				between state code and current ordinances.	
	§ 15.2-2292.1. Zoning provisions for temporary family health care structures. Zoning ordinances for all purposes shall consider temporary family health care structures (i) for use by a caregiver in providing care for a mentally or physically impaired person and (ii) on property owned or occupied by the caregiver as his residence as a permitted accessory use in any single-family residential zoning district on lots zoned for single-family detached dwellings. Such structures shall not require a special use permit or be subjected to any other local requirements beyond those imposed upon other authorized accessory structures, except as otherwise provided in this section. Such structures shall comply with all setback requirements that apply to the primary structure and with any maximum floor area ratio limitations that may apply to the primary structure. Only one family health care structure shall be allowed on a lot or parcel of land. "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, that (i) is primarily assembled at a location other than its site of installation; (ii) is limited to one occupant who shall be the mentally or physically impaired person or, in the case of a married couple, two occupants, one of whom is a mentally or physically impaired person, and the other requires assistance with one or more activities of daily living as defined in § 63.2-2200, as certified in writing by a physician licensed in the Commonwealth; (iii) has no more than 300 gross square feet; and (iv) complies with applicable provisions of the Industrialized Building Safety Law (§ 36-70 et seq.) and the Uniform Statewide Building Code (§ 36-97 et seq.). Placing the temporary family health care structure on a permanent foundation shall not be required or permitted.			Recommendation: This item should be inserted into Article IV and made applicable to all residential districts.	

Review of 'Overcoming Land Use Ordinance Barriers to Housing Development' Report (May 27,2022)

Factor 2: Permitted Housing Densities

Item	Study Recommendation/ Comment/Finding	Study Reference Location	Town's Substantiation/Reference Location	Planning Commission Recommendations/ Actions and rationale	Recommendation Pros and Cons
1	Finding: Higher densities and smaller lot sizes in appropriate areas would be more supportive of diverse housing options. - Cape Charles allows options for small single-family lots as low as 5,600 square feet and townhomes on lots of 1,500 square feet. <u>These lot sizes are supportive of diverse housing options</u> at densities that create a walkable, livable community. The minimum lot size for multifamily is 3 acres, which could be reduced to increase opportunity for multifamily. - Across all communities, the multi-family densities are fairly low and could be increased where utility availability allows. Options for density bonuses or density waivers/exceptions through a rezoning or special (or conditional) use permit could also be considered to support local housing needs	P. 19/20	Article III Lot Sizes R-E – minimum 1 acre R-1 – minimum 5,600 SF R-2 – Single-Family – minimum 6,000 SF Patio – min 6,000 SF Duplex – min 10,000 SF Zero Lot Line – min 6,000 R-3 – Min 3 acre lots with - Townhouse – min 1500 SF in size, max 8 units per row and - Multi-Fam – min 1500 SF in size.	Subcommittee— 1.Consider reducing min 3 acres for townhouses and multi-family homes in R-3. 2.Review multi-family density <u>No action required since lot sizes are supportive of diverse housing options.</u> <u>OK</u>	
2	Finding: Available infrastructure affects higher density housing options. Developments in Cape Charles that can be served by centralized or public utilities will be more likely to realize development at densities that will accommodate middle to higher density housing options.	P. 20	Cape Charles is served by town water and sewer.	No action required. <u>OK</u>	

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3	Finding: Northampton County is the only locality to offer a density bonus option for affordable housing. Out of the ordinances evaluated, Northampton County's ordinance is the only ordinance that begins to offer density considerations for development of affordable housing units. While not a mandate, utilizing the Code of Virginia § 15.2-2305.1 (Affordable housing dwelling unit ordinances) would be a valuable method of encouraging affordable housing in areas where utilities can support the density bonus. Such program shall address housing needs, promote a full range of housing choices, and encourage the construction and continued existence of housing affordable to low-and-moderate-income citizens by providing for increases in density to the applicant in exchange for the applicant voluntarily electing to provide such affordable housing.....Any local ordinance may authorize the governing body to (i) establish qualifying jurisdiction-wide affordable dwelling unit sales prices based on local market conditions, (ii) establish jurisdiction-wide affordable housing dwelling unit qualifying income guidelines, and (iii) offer incentives other than density increases, such as reductions or waivers of permit, development, and infrastructure fees, as the governing body deems appropriate to encourage the provision of affordable housing.	P. 20	Cape Charles does not offer a density bonus option for affordable housing.	<u>No action required because Cape Charles has already maximized land usage at this time.</u> <u>OK</u>	
4	Finding: Cluster developments offer flexibility to traditional lot development to create housing diversity. Town of Cape Charles includes options to increase density and reduce minimum lot sizes for cluster-style developments that preserve open space.	P. 20	Katie — where would this be captured? <u>Cannot validate study statements.</u>	<u>No action required because Cape Charles can achieve same objectives via use of PUD.</u> <u>OK</u>	
5	Finding: Several localities require zoning approval to achieve density necessary for “missing middle” and affordable housing	P. 20/21	Katie — not sure how we capture these statements	<u>No action required because Cape</u>	

	- Cape Charles offers options for higher density (which vary in intensity from middle to higher density) by-right, - Cape Charles offers options for higher density for developments meeting standards such as open space preservation in certain districts for cluster developments. - PUDs are identified as a means to allow a mix of uses and increased or bonus densities. PUDs are optional in Cape Charles.		<u>Cannot validate</u> <u>Cannot validate</u> <u>Validated</u>	<u>Charles can achieve same objectives via use of PUD.</u> <u>OK</u>	
6	Recommendation 1: Ensure densities and lot sizes recommended for growth areas foster housing variety and options for affordable housing. Consider amendments to Comprehensive Plans and ordinances to allow for densities necessary for a diverse and affordable housing supply.	P. 29	See Item 1 finding above.		
7	Recommendation 2: Consider options to provide infrastructure necessary for increased densities. Policy discussions and cooperation should occur between the County and Towns to discuss and implement the provision of public utilities in areas of the County around Town edges, where appropriate.	P. 29	Town of Cape Charles is currently served by town utilities.	Potential – extension outside the Town boundaries may be a possibility if town assets are sold. <u>OK</u>	
8	Recommendation 3: Consider adoption/amendment of inclusionary zoning regulations. Density bonuses encourage the production of affordable housing units. The Code of Virginia § 15.2-2305.1 allows localities to adopt zoning regulations for inclusive zoning and bonus densities for developments that incorporate affordable units	P. 29	See Item 3 finding above.		
9	Recommendation 4: Consider adoption/amendment of standards that allow cluster developments. Regulations to allow for cluster developments should be clear with respect to standards such as for permitted density bonuses, lot sizes, and long-term open space maintenance.	P. 29	CC zoning does not address cluster development. However, a developer has the ability to create a PUD. A PUD district allows for the maximum impervious surface coverage not exceed 80 percent of the total gross area of	<u>No action required.</u> <u>A developer has the ability to create a PUD. A PUD district allows for the maximum impervious surface coverage not</u>	

	Residential cluster development in new housing developments is a means of permanently protecting open space and environmental resources, usually with conservation easements, while still allowing landowners to develop their property. Houses are built closer together on part on the land rather than spread evenly on large lots over the whole development. Northampton County definition: CLUSTER DEVELOPMENT; CLUSTER SUBDIVISION. An arrangement of residential structures or adjoining residential lots in groupings that would not be generally permitted under applicable ordinance requirements but are allowed under the concept of reducing lot size requirements to allow for the provision of additional open space within the development.		development. No more than 33 percent of wetlands present in PUD districts may be used when calculating total gross area of development (Section 3.12.E) From the CC Subdivision ordinance (Appendix A), where the size of the subdivision warrants, the sub-divider shall dedicate to the Town of Cape Charles such reasonable amount of land for parking lots, parks, and playgrounds as determined necessary to protect the safety (fire and traffic hazards considered) and the general public welfare of the area.	<u>exceed 80 percent of the total gross area of development. No more than 33 percent of wetlands present in PUD districts may be used when calculating total gross area of development (Section 3.12.E)</u> <u>From the CC Subdivision ordinance (Appendix A), where the size of the subdivision warrants, the sub-divider shall dedicate to the Town of Cape Charles such reasonable amount of land for parking lots, parks, and playgrounds as determined necessary to protect the safety (fire and traffic hazards considered) and the general public welfare of the area.</u> <u>OK</u>	
10	Recommendation 5: Consider adoption/amendment of standards that allow for Planned Unit Developments (PUD).	P. 29	Cape Charles currently allows for a PUD (Ordinance Section 3.12). Allowed as permitted in	No action required. <u>OK</u>	

			R-1, R-2, R-3, CR, C-1. C-2, C-3 and Harbor Districts. PUD districts shall provide a mix of a minimum of two of the following; residential units, commercial offices, retail, hotel or civic use. Minimum 5 acres.		
11	Recommendation 6: Analyze purpose and intent statements of zoning districts. Zoning districts intent statements, such as with Cheriton which identifies the desire for affordable and workforce housing, should clearly reflect a locality's intent for the area included in the district.	P. 29	Confirmed the attached table correctly reflected current district purpose and intent statements as currently written in Article III.	<u>Harbor – note that reference to Harbor Master Plan and Design Guidelines are now considered 'archived' since they are circa 2006.</u>	
12	Recommendation 7: Consider ordinance amendments to allow higher density options by right. All localities should consider allowing higher density development by right with appropriate design standards to reduce the need for each development to seek subsequent zoning approvals to accommodate the housing variety desired within the community.	P. 29	Cape Charles does not offer higher density options by right.	<u>No action required.</u> <u>OK</u>	

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Districts Permitting Residential Use	District Intent Summary	Permitted Densities and/or Minimum Lot Areas
Harbor	Encourage a vibrant working waterfront area that is a strong economic benefit with compatible new industry and employment uses, strong public recreational value with public gathering places and access to the water; a place for people to conduct business and to live, meet, relax, encounter nature and learn of the working maritime and rail history; encourage public access to water's edge in a pedestrian environment Intent to implement CC Harbor Area Conceptual Master Plan and Design Guidelines.	Lot area - 11,200 sq. ft.
Residential Estate	Provide relatively low-density housing in a rural type setting; Streets may be private in nature but are not expected to handle heavy traffic as they serve primarily homes in the local neighborhood.	Lot area - 1 ac
Single Family Residential (R-1)	Provide quiet, medium density single family residential development plus provide open areas where similar residential development is likely to occur; stabilize and protect the essential	Lot area - 5,600 sq. ft.

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	characteristics of the district; encourage suitable environment for family life where there are children and restrict more intense commercial uses. Restrict all activities of a commercial nature. Characteristics of the neighborhood include both permanent as well as seasonal residents.	
Residential Mixed (R-2)	Provide medium density residential with a mixture of single family and multi-family housing; encourage a suitable environment for family life and restrict commercial activities to those that serve the needs of the neighborhood itself	Lot area - 6,000 sq. ft. for single-family, patio and zero lot lines. Lot area – 10,000 sq. ft. for duplexes.
Residential Multi-family (R-3)	Provide for relatively high-density multi-family residential development; encourage a suitable environment for family life and restrict commercial activities to those that serve the needs of the surrounding residential neighborhood.	Project area for multi-family and townhomes – min. 3 ac. Lot area for townhomes and multi-family -- 1,500 sq. ft per dwelling
Commercial Residential (CR)	Recognize the unique juxtaposition of existing residential structures within the central business district and future needs of commercial districts; promote continued residential character while allowing introduction of commercial uses	Lot area - 5,600 sq. ft.
Commercial (C-1)	Preserve and enhance the mixed-use urban nature of Cape Charles' commercial district; to encourage location of regional and local businesses and professional activities; facilitate development of buildings in keeping with its National Historic District character and to protect against destruction of or undesirable encroachment on these areas	Lot area - 5,600 sq. ft.
Commercial (C-2)	Preserve existing commercial areas which are less densely developed than those in the C-1 District; encourage compatible commercial uses and density. Area generally developed with larger lots and larger individual buildings.	Lot area – 9,000 sq. ft.
Commercial (C-3)	Provide for development of the existing linear commercial area along Route 184; encourage uses to serve the community; and to encourage quality construction and design as this serves as an entrance corridor to Cape Charles.	Lot Area – None
General Business/ Light Industrial (GBI)	Provide a district for business, office, light industrial and specific public purpose and to encourage formation and continuance of a quiet, compatible, and uncontested environment for business, professional and light industrial firms; discourage any uses capable of adversely affected the specialized commercial and housing character of the Town	Lot area – None
General Business/Light Industrial H-1 (GBI H-1)	The GBI H-1 District is a planned mixed industrial and employment park with a comprehensive development plan. The purpose of the district is to: 1. Encourage the revitalization of the local industrial economy and historic port of Cape Charles and Northampton County 2. Create family-wage employment and training opportunities for local residents	Lot area – 15,000 sq. ft.

	3. Serve as a model and national prototype of an integrated approach to land development and industrial operations, embodying sustainable approaches to the local economy, environment, and culture 4. Serve as a model for advancing the traditional settlement patterns of the Eastern Shore's towns and employment centers 5. Incorporate comprehensive, cost-effective approaches to resource conservation, wise use of renewable resources, and ecologically based industrial development in all aspects of design and development of the project.	
Industrial (M-1)	Permit certain industries which will not detract from the residential desirability and will not be permitted to locate in any area adjacent to a residential area; standards designed to protect and foster adjacent desirability while permitting industry to locate near a labor supply and near existing available transportation.	Lot area -15,000 sq.ft.
Industrial (M-2)	The intent of this zoning district is to provide for mixed industrial and employment land uses in the community. The specific objectives of the M-2 District are to: 1. Encourage the revitalization of the local industrial economy and historic port of Cape Charles and Northampton County 2. Create family-wage employment and training opportunities for local residents. 3. Serve as a model and national prototype of an integrated approach to land development and industrial operations, embodying sustainable approaches to the local economy, environment, and culture 4. Serve as a model for advancing the traditional settlement patterns of the Eastern Shore's towns and employment centers 5. Encourage cost-effective approaches to resource conservation, wise use of renewable resources, and ecologically-based industrial development	Lot area – 15,000 sq ft
Planned Unit Development (PUD)	Promote creative and imaginative development designs for residential and commercial uses by allowing greater flexibility than is possible under the restrictions of conventional zoning regulations; promote more efficient land use while encouraging variety and convenience for the overall development; development of recreational areas and open spaces within the project.	Minimum area 5 acres.
Open Space District	To provide opportunities for recreational activities, a network of recreational paths, preserve natural resources and create buffer zones within the town	Lot area - none

Review of 'Overcoming Land Use Ordinance Barriers to Housing Development' Report (May 27,2022)

Factor 3: Regulation Consistency/Clarity

Item	Study Recommendation/ Comment/Finding	Study Reference Location	Town's Substantiation/Reference Location	Planning Commission Recommendations/ Actions and rationale	Recommendation Pros and Cons
1	Finding: Most of the ordinances lack definitions for affordable and workforce housing. Only Northampton County and Cape Charles ordinances include definitions related to affordable housing terms. The Cape Charles Ordinance defines low-income housing as "Housing that is economically feasible for families whose income level is categorized as low within the standards promulgated by the U.S. Department of Housing and Urban Development or the appropriate housing agency." Definition varies somewhat from the definition of affordable housing in the Code of Virginia § 15.2-2201 which reads, "housing that is affordable to households with incomes at or below the area median income, provided that the occupant pays no more than thirty percent of his gross income for gross housing costs, including utilities." Defining both affordable housing and workforce housing are important for the intelligible administration, application, review, and permitting of these types of housing developments.	P. 30	Refer to Appendix A		
2	Finding: The ordinances contain inconsistent and obsolete terms and language. For Cape Charles: Clarity is needed between definitions of manufactured housing and manufactured home dwelling; manufactured housing as permitted may be a modular home. Modular	P. 30/31	Refer to Appendix A		

	homes are typically clarified as different from manufactured housing and treated the same as a traditional single-family dwelling. • Clarity is needed between definitions for duplex and multi-family, which both include with two (2) dwelling units. • Clarity is needed in definition of family relative to “common housekeeping management plan, intentionally structured relationship providing organization and stability” to ease understanding and enforcement. • Clarity is needed in definition of continuing care retirement facility relative to specific components of the definition to ensure ease of understanding and enforceability.				
3	Recommendation 1 - Consider adopting consistent housing definitions across localities, especially for affordable housing	P. 33		Not considered a priority for such a coordination effort and therefore no action at this time taken.	
4	Recommendation 2 - Amend ordinances for housing definitions. Modernize definitions and add new definitions for terms not defined. These amendments should also remove obsolete and inconsistent definitions.	P. 33		Refer to Appendix A	
5	Recommendation 3 - Implement ordinance amendments to comply with the Code of Virginia. Ensure terminology is compliant with Code of Virginia requirements and that definitions are not overly exclusionary.	P. 33		WIP: Consultant for comp plan update will be reviewing zoning ordinances against state code.	
6	Recommendation 4 - Evaluate definitions of other development terms. Examine definitions of other development terms such as setbacks, yards, lot areas, lot widths, and frontages to ensure consistency and clarity in how area calculations or measurements are determined.	P. 33	Refer to Appendix B		
7	Recommendation 5 - Consider adoption of a unified development ordinance. A unified development	P. 33	CC already has zoning ordinance with Subdivision (App A)	No action required	

	ordinance, including both zoning and subdivision regulations in one document.				
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APPENDIX A

Definitions

Term	Current Cape Charles	Examples/Source	Examples/ Source	Recommendation
Low Income Housing	Article II, Definitions LOW INCOME HOUSING is housing that is economically feasible for families whose income level is categorized as low within the standards promulgated by the U.S. Department of Housing and Urban Development or the appropriate housing agency.			The term 'low income housing' is too generalized and is not found elsewhere in zoning ordinance or town code. Recommendation to delete. Refer to Affordable Housing. OK

Affordable Housing	Term not listed in Article II definitions.	AFFORDABLE HOUSING means, as a guideline, housing that is affordable to households with incomes at or below the area median income, provided that the occupant pays no more than thirty percent of his gross income for gross housing costs, including utilities. For the purpose of administering affordable dwelling unit ordinances authorized by this chapter, local governments may establish individual definitions of affordable housing and affordable dwelling units including determination of the appropriate percent of area median income and percent of gross income. <i>(From Virginia Code §15.2-2201)</i> SEE NEXT PAGE FOR NORTHAMPTON COUNTY	AFFORDABLE HOUSING: In general, housing for which the occupant(s) is/are paying no more than 30 percent of his or her income for gross housing costs, including utilities. Please note that some jurisdictions may define affordable housing based on other, locally determined criteria, and that this definition is intended solely as an approximate guideline or general rule of thumb. <i>(HUD.gov Definitions)</i>	In anticipation that ordinance may address, recommend addition of definition AFFORDABLE HOUSING means, as a guideline, housing that is affordable to households with incomes at or below 120% of the area median income, provided that the occupant pays no more than thirty percent of his gross income for gross housing costs, including utilities. OK
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		Northampton County 154.2.108 AFFORDABLE HOUSING. Housing for individuals and families earning less than 120% of the area median income, as determined by the U.S. Department of Housing and Urban Development <i>VERY LOW INCOME.</i> Individual or family earning 50% or less of the current area median income; <i>LOW INCOME.</i> Individual or family earning 50% to 80% of the current area median income; <i>MIDDLE INCOME.</i> Individual or family earning 80% to 120% of the current area median income;]		
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Area Median Income	Term not currently used in Definitions. 2022 HUD AMI (median <u>family</u> income for four-person household) – Northampton County, VA = \$ 66,400 [HUD used 2015-2019 5 year ACS as input with inflation factor] Note, HUD also defines and calculates different levels of AMI for geographic areas across the country by household size. 2021 - \$60,100 2020 - \$58,000 20219 - \$56,000 Cape Charles, VA 2020 ACS Survey 5-year estimates (median <u>household</u> income) = \$55,104 2021 ACS Survey 5-year estimates will be released 12/8/22.	Area median income is defined as the midpoint of a specific area's income distribution and is calculated on an annual basis by the Department of Housing and Urban Development. HUD refers to the figure as MFI, or median family income, based on a four-person household. (www.hud.loan)		Recommend AREA MEDIAN INCOME is defined as the midpoint of the specific area of Northampton County's income distribution for a family of four and is calculated on an annual basis by the Department of Housing and Urban Development as median family income (MFI). <i>[Note that HUD AMI is calculated on Eastern Shore on a county level only and forms the bases for VH loans]</i> OK
Household	Term is only used within Article II, Definitions. HOUSEHOLD means a family living together in a single-family dwelling unit with common use of all living and eating areas and facilities for the preparation and serving of food within the dwelling unit.	HOUSEHOLD: All the people who occupy a housing unit. A household includes the related family members and all the unrelated people, if any, such as lodgers, foster children, wards, or employees who share the housing unit. A person living alone in a housing unit, or a group of unrelated people	James City County 24-2 does not have definition for Household.	HOUSEHOLD (Family) means all the people who occupy a housing unit. A household includes the related family members and all the unrelated people, if any, such as lodgers, foster children, wards, or employees who share the housing unit. A person living alone in a

	However, the term is also included in; DENSITY means the total number of families, individuals, dwelling units, households, or housing structures per unit of land. DWELLING UNIT means one or more rooms, designed, occupied, or intended for occupancy as a separate living quarter with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household. RETAIL SALES mean an establishment engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Households not used elsewhere.	sharing a housing unit such as partners or roomers, is also counted as a household. (HUD.gov, Definitions)		housing unit, or a group of unrelated people sharing a housing unit such as partners or roomers, is also counted as a household. OK
Family	FAMILY means a group of individuals not necessarily related by blood, marriage, adoption, or guardianship living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability. Term used in relation to dwellings, e.g., single-family, multi-family, family care homes definitions and in household definition. B&B – owner and family must occupy... Environment for family life.....	FAMILY: All persons living in the same household who are related by birth, marriage or adoption. (HUD.gov, definitions)	James City County 24-2, Definitions <i>Family</i>. One or more persons related by blood, adoption or marriage living and cooking together as a single housekeeping unit, exclusive of household servants. A number of persons, not exceeding three, living and cooking together as a single housekeeping unit though not related by blood, adoption or marriage shall be deemed to constitute a family. A family is, exclusive of household servants: (1)	Delete and couple with Household. OK

	Create a family wage..... Temporary Family Health Care Structures... App D Erosion and SC, 'Single-family residence' means a noncommercial dwelling that is occupied exclusively by one family. Child care Center means any facility, other than a family home, Family term being proposed for ADU criteria as in 'family and guests'.		An individual; (2) Two or more persons related by blood, marriage, adoption or guardianship; (3) A number of persons, not exceeding three, living and cooking together as a single housekeeping unit though not related by blood, marriage, adoption or guardianship; or (4) Not, more than two unrelated persons living and cooking together along with two or more persons related by blood, marriage, adoption or guardianship, as a single housekeeping unit.	
Manufactured Home	Article II, Definitions MANUFACTURED HOUSING means factory built, single-family structures that meet national standards. DWELLING, MOBILE HOME or MANUFACTURED HOME means a special form of 'one-family dwellings' with the following characteristics: 1. designed for long-term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower, and kitchen facilities, with plumbing and electrical connections provided for attachments to outside systems 2. designed to be transported after fabrication on its own wheels 3.	MANUFACTURED HOME: A structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width, or 40 body feet or more in length, or which when erected onsite is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. This term includes all	"Manufactured Home" refers to a class of homes built after June 15th , 1976 whose design, construction, and installation is regulated by the Federal Manufactured Home Construction and Safety Standards. Prior to 1976, these types of homes were colloquially known as "Mobile Homes" given their ease of transportability, but the National Manufactured Housing Construction and Safety Standards Act of 1974 established and codified their construction standards.	Manufactured Home is terminology only used in R-E district that additionally requires it at 19 ft or more in width. However, VA Code deems this as a 'single-family' residence. Eliminate definition for MANUFACTURED HOUSING. OK Change definition as follows; DWELLING, MOBILE HOME or MANUFACTURED HOME or MOBILE HOME means a special form of 'one-family

	arriving complete at the site where it is to be occupied, usually including major appliances and furniture and ready for occupancy except for minor and incidental unpacking and assembly operations, location and provision of support on site, connection with utilities and the like 4. intended to be used other than as a component in a structure two or more stories in height.	structures that meet the above requirements except the size requirements and with respect to which the manufacturer voluntarily files a certification pursuant to 24 CFR 3282.13 and complies with the construction and safety standards set forth in this 24 CFR 3280. The term does not include any self-propelled recreational vehicle. Calculations used to determine the number of square feet in a structure will include the total of square feet for each transportable section comprising the completed structure and will be based on the structure's exterior dimensions measured at the largest horizontal projections when erected onsite. These dimensions will include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows. Nothing in this definition should be interpreted to mean that a manufactured home necessarily meets the requirements of HUD's Minimum Property Standards (HUD Handbook 4900.1) or that it is automatically eligible for financing under 12 U.S.C. 1709(b). <i>(HUD.gov, Definitions)</i>	Unlike the prescriptive nature of state regulations and building codes, the Manufactured Home Construction and Safety Standards are performance based and provide standards for design and construction, strength and transportability, fire resistance, and energy efficiency. The Department of Housing and Urban Development (HUD) oversees the design and factory construction of manufactured homes through third-party agencies <i>(VA DHCD)</i>	dwellings' with the following characteristics: A structure, transportable in one or more sections, which in the traveling mode is 8 body feet or more in width, or 40 body feet or more in length, or which when erected onsite is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure, and designed and constructed to National Manufactured Housing Construction and Safety Standards Act of 1974. This term includes all structures that meet the above requirements except the size requirements and with respect to which the manufacturer voluntarily files a certification pursuant to 24 CFR 3282.13 and complies with the construction and safety standards set forth in this 24 CFR 3280. The term does not include any self-propelled recreational vehicle. Calculations used to determine the number of
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				square feet in a structure will include the total of square feet for each transportable section comprising the completed structure and will be based on the structure's exterior dimensions measured at the largest horizontal projections when erected onsite. These dimensions will include all expandable rooms, cabinets, and other projections containing interior space, but do not include bay windows. OK
Modular Building		"Modular building" means, but is not limited to, single and multifamily houses, apartment units, commercial buildings, and permanent additions thereof, comprised of one or more sections that are intended to become real property, primarily constructed at a location other than the permanent site, built to comply with the Virginia Industrialized Building Safety Law (§ 36-70 et seq.) as regulated by the Virginia Department of Housing and Community Development, and shipped with most permanent components in place to the site of final assembly. For purposes of this chapter, "modular building" does	"Industrialized Building" is defined in the Virginia Industrialized Building Safety Regulations to mean a combination of one or more sections or modules, subject to state regulations and including the necessary electrical, plumbing, heating, ventilating, and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, to comprise a finished building. These types of homes have a rich and vibrant history, dating back to the early 1900's when Sears,	MODULAR BUILDING, OR HOME OR INDUSTRIALIZED BUILDING is defined in the Virginia Industrialized Building Safety Regulations to means, but is not limited to, single and multifamily houses, apartment units, commercial buildings, and permanent additions thereof, a combination of one or more sections or modules, subject to state regulations and including the necessary electrical, plumbing, heating, ventilating, and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without

		not include a mobile office as defined in § 58.1-2401 or any manufactured building subject to and certified under the provisions of the "Modular building" means, but is not limited to, single and multifamily houses, apartment units, commercial buildings, and permanent additions thereof, comprised of one or more sections that are intended to become real property, primarily constructed at a location other than the permanent site, built to comply with the Virginia Industrialized Building Safety Law (§ 36-70 et seq.) as regulated by the Virginia Department of Housing and Community Development, and shipped with most permanent components in place to the site of final assembly. For purposes of this chapter, "modular building" does not include a mobile office as defined in § 58.1-2401 or any manufactured building subject to and certified under the provisions of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. § 5401 et seq.). (42 U.S.C. § 5401 et seq.). (VA Code 58.1-602, Definitions)	Roebuck, & Co. popularized their kit homes. Unlike Manufactured Homes, the design, installation, and construction of Industrialized Homes are regulated by the Uniform Statewide Building Code. (VA DHCD)	other specified components, to comprise a finished building. These types of homes have a rich and vibrant history, dating back to the early 1900's when Sears, Roebuck, & Co. popularized their kit homes. Unlike Manufactured Homes, the design, installation, and construction of modular or Industrialized homes are regulated by the Uniform Statewide Building Code. OK
Dwelling, Mobile Home	DWELLING, MOBILE HOME or MANUFACTURED HOME means a			Mobile Home is not specifically used in Art III but

	special form of 'one-family dwellings' with the following characteristics: 1. designed for long-term occupancy and containing sleeping accommodations, a flush toilet, a tub or shower, and kitchen facilities, with plumbing and electrical connections provided for attachments to outside systems 2. designed to be transported after fabrication on its own wheels 3. arriving complete at the site where it is to be occupied, usually including major appliances and furniture and ready for occupancy except for minor and incidental unpacking and assembly operations, location and provision of support on site, connection with utilities and the like 4. intended to be used other than as a component in a structure two or more stories in height.			would fall under 'single family dwelling' and is addressed in Article IV under Landscaping for Multi-Family Developments and Mobile Home Parks. (Section 4.4.E) and Temporary mobile homes approved in the event of an emergency, construction, or repair (under Parking, 4.5.B). Recommendation Change mobile home references to manufactured home. OK
Workforce Housing	Term not provided in Definitions	Virginia Beach: Workforce Housing (WFH) – Housing that is generally affordable to households with working members who live or will be living in the City of Virginia Beach. For home ownership, it is housing that is priced to be affordable to households with annual incomes between 80% and 120% of AMI. For rentals, it is housing that is priced to be affordable to households with annual incomes between 60% and 90% of AMI or, where the	Wikipedia: Workforce housing is commonly targeted at "essential workers" in a community e.g., i.e. police officers, firemen, teachers, nurses, medical personnel, service workers. Some communities define "essential" more broadly to include service workers, as in the case of resort communities where one finds high real estate costs and a high number of low-paying service jobs essential to the local economy. Workforce	Workforce housing means housing commonly targeted at "essential workers" in a community e.g., police officers, firemen, teachers, nurses, medical personnel, service workers. Some communities define "essential" more broadly to include service workers, as in the case of resort communities where one finds high real estate costs and a high number of low-paying service jobs essential to the local economy. Workforce

		building contains an elevator, between 60% and 100% AMI. Northampton County: WORKFORCE. Households whose primary source of income is from W-2 wages and whose income ranges between the weekly income available from a minimum-wage salary and the weekly income available from the current "average wage" salary as defined for Northampton County by the U.S. Bureau of Labor Statistics.	housing is may be targeted more generally at certain income levels regardless of type of employment, with definitions ranging from 50% to 120% of Area Median Income (AMI).	housing is may be targeted more generally at certain income levels from 5080% to 120% of Area Median Income (AMI) regardless of type of employment, with definitions ranging from 50% to 120% of Area Median Income (AMI). OK
Dwelling, Duplex	Definitions, Article II DWELLING, DUPLEX shall mean a building designed as a single structure, containing two separate dwelling units, has direct access to the outside, and each of which is designed or arranged to be occupied by two families living independently of each other.	Note that 1977 zoning ordinance did not permit multiplexes (e.g., duplexes) and considered those existing as non-conforming. Section 2.5.5 re Occupancy of Vacant Non-Conforming Buildings or Structures was revised (2004) to include 'Existing duplexes, specifically designed as such, are exempt from the four-year vacancy stipulation.'		DWELLING, DUPLEX shall mean a building designed as a single structure, containing two separate dwelling units joined side-by-side, has direct access to the outside, and each of which is designed or arranged to be occupied by two families living independently of each other. OK
Dwelling, Multi-family	DWELLING, MULTI-FAMILY shall mean a building designed for and containing two or more dwelling units.			DWELLING, MULTI-FAMILY shall mean a building designed for and containing twothree or more dwelling units. OK

CONTINUING CARE RETIREMENT COMMUNITY	Article II Definitions CONTINUING CARE RETIREMENT COMMUNITY is an age-restricted development that provides a continuum of accommodations and care, from independent living to long-term bed care, and enters into contracts to provide lifelong care in exchange for the payment of monthly fees and an entrance fee in excess of one year of monthly fees.	A continuing care retirement community (CCRC) , sometimes known as a life plan community , is a type of retirement community in the U.S. where a continuum of aging care needs—from independent living, assisted living, and skilled nursing care—can all be met within the community. <i>(Wikipedia)</i>		<u>Recommendation</u> Change definitions as follows; CONTINUING CARE RETIREMENT COMMUNITY , sometimes known as a life plan community , is a type of retirement community where a continuum of aging care needs from independent living, assisted living, and skilled nursing care can all be met within the community. OK
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Appendix B

setbacks, yards, lot areas, lot widths, and frontages to ensure consistency and clarity in how area calculations or measurements are determined.

	Definition, Article II	
Setbacks	SETBACK is the minimum distance allowable between a building or structure and any lot line.	OK
Average Setback	AVERAGE SETBACK shall be the mean setback from a street right-of-way of buildings on both sides of a lot. Used in C-1 and C-2.	OK
Yards	YARD is an open space that lies between the principal building or buildings and the nearest lot. YARD, FRONT means a space extending the full width of the lot between any building and the front lot line and measured perpendicularly to the building at the closest point to the front lot line. YARD, REAR means a space extending across the full width of the lot between the principal building and the rear of the lot and measured perpendicularly to the building to the closest point of the rear lot line.	OK

	YARD, SIDE means a space extending from the front yard to the rear yard between the principal building and the side lot line and measured perpendicularly from the side lot line to the closest point of the principal building.	
Buffer Yard	BUFFER YARD means an area or areas located within districts or land use classifications which extend along adjacent property lines abutting other districts	OK
	Used in M-2, GBI H-1; describes req'ts when adjoining other districts	
Lot areas/ Lot widths	LOT AREA means the total area within the lot lines of a lot, excluding any street right-of-ways. LOT, CORNER means a lot or parcel of land abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle of less than 135 degrees. LOT COVERAGE is that portion of the lot that is covered by buildings. LOT DEPTH means the average distance measured from the front of the lot line to the rear of the lot line. LOT, FLAG means a lot not meeting minimum frontage requirements and where access to the public road is by narrow private right-of-way or driveway. LOT FRONTAGE means the length of the front lot line measured at the street right-of-way line. LOT LINE means a line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space LOT LINE, FRONT is the lot line separating a lot from the street right-of-way. LOT LINE, REAR is the lot line opposite and most distant from the front lot line. In the case of a triangular or otherwise irregularly shaped lot, a line ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line. LOT OF RECORD means a lot that exists as shown or described on a plat or deed in the records of the local registry of deeds. LOT WIDTH is the horizontal distance between the side lot lines measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line.	OK
Frontages	FRONTAGE is the width in linear feet of each lot where it abuts the right-of-way of any public or private street.	Ok
Plot	PLOT means a single-family parcel of land or a parcel of land that can be identified and referenced to a recorded plat or map.	Ok
Property	PROPERTY means a lot, parcel, or tract of land together with the building and structures located thereon	Ok

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Residence	RESIDENCE means a home or abode or place where an individual is actually living at a specific point or time.	RESIDENCE means a home or abode or place where an individual is actually living at a specific point in time. OK
Residential Property	RESIDENTIAL PROPERTY shall mean all property used for single-family detached, single-family attached, or multifamily residences, or mixed-use development that contains one or more dwelling units.	OK
Basement	BASEMENT means that portion of a building that is partly or completely below grade. A basement is a level within a building that has its floor surface below the adjoining ground level. Often due to grading conditions, a basement will also be considered as a story above grade, thereby contributing to the building height.	BASEMENT means that portion of a building that is partly or completely below grade. A basement is a level within a building that has its floor surface below the adjoining ground level. Often due to grading conditions, a basement will also be considered as a story above grade, thereby contributing to the building height. <u>A basement shall be counted as a story if over 50 percent of its height is above finished grade.</u> OK
Crawl Space	CRAWL SPACE is a space between the ceiling of one story and floor of the next story, which usually contains pipes, ducts, wiring and lighting fixtures, and permits access but is too low for standing.	CRAWL SPACE is an shallow unfinished space beneath the first floor or under the roof of a building- under floor space that is not a basement which usually contains pipes, ducts, wiring and lighting fixtures, and permits access but is too low for standing. OK
Attic	ATTIC shall be considered a part of a building that is immediately below and wholly or partly within the roof framing.	<u>ATTIC is space between ceiling framing of the top story and the underside of the roof.</u> (from UBC) OK
Story	STORY is that portion of a building included between the surface of any floor and the surface of the floor above it, then the space between the floor and the ceiling above it, and including those basements used for principal use.	<i>STORY means that portion of a building included between the surface of any floor and the floor next above it or, if there is no floor above it, the space between the floor and the ceiling next above it. A basement shall be counted as a story if over 50 percent of its height is above finished grade.</i> OK

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Story, Half		<u>STORY, HALF, HABITABLE ATTIC, means a finished or unfinished area, not considered a full story, complying with all of the following requirements:</u> <u>• The occupiable floor area is at least 70 square feet.</u> <u>• The occupiable floor area has a ceiling height of not less than 7 feet. For rooms with sloped ceilings, ceiling height shall not be less than 5 feet and not less than 50 percent of the required floor area shall have a ceiling height of not less than 7 feet. A shower or tub equipped with a shower head shall have a ceiling height in accordance with the Virginia Residential Building Code.</u> <u>• The occupiable space is enclosed by the roof assembly above, knee walls (if applicable) on the sides and the floor-ceiling assembly below.</u> <u>• Total occupiable space shall not exceed 50 percent of the greatest story floor area.</u> <u>OK</u>
Story Above Grade	STORY ABOVE GRADE is any story having its finished floor surface entirely above grade plane, except that a basement shall be considered as a story above grade plan where the finished surface of the floor above the basement is: 1. More than 6 feet above grade plane; or 2. More than 6 feet above the finished ground level for more than 50% of the total building perimeter; or 3. More than 12 feet above the finished ground level at any point. Term used in Section 4.2 re accessory bldgs. and in current definition of basement 9. Where the main structure possesses no more than one story above grade, no accessory structure shall be higher than the main structure. 10. Where the main structure possesses more than one story above grade, no accessory structure shall be higher than two-thirds the height of the main structure or twenty-four feet (24'), whichever is lesser	Consider need if other definition changes are accepted. Delete term. The definition of 'story' is deemed sufficient coupled with 'above grade' in accessory building criteria. <u>OK</u>
Floor Area	FLOOR AREA shall mean the gross horizontal areas of a building, including mezzanines and lofts, exclusive of garages, parking structures, basements, open	FLOOR AREA shall mean the gross horizontal areas of a building, including mezzanines and lofts,

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	balconies and porches, and equipment and service areas, measured from the exterior face of the exterior walls of a building.	exclusive of garages, parking structures, basements, open balconies and porches, and equipment and service areas, measured from the exterior face of the exterior walls of a building. For a half story, the useable floor area shall be considered to be only that portion having a clear height above it of five feet or more. OK
Grade		Grade (Adjacent Ground Level), <u>generally flat horizontal surfaces</u> , is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building or structure and the property line. <u>When ground level slopes, the reference plane shall be established by the average of elevations at the four corners of the lot and two additional highest points on the lot (i.e., the average of six points).</u> OK
Gross Floor Area	GROSS FLOOR AREA (GFA) shall mean the total covered floor area inside the building envelope, including exterior walls, and excluding the roof. Used in defining uses retail establishments ≤ 2500 SF of gross floor area Used in parking req'ts for mixed-use developments, etc, e.g. 1 space 300 SF gross floor area Used in parking req'ts for off-street loading	<u>Ask the consultants looking at parking requirements as to whether this definition is needed.</u>
Density	DENSITY means the total number of families, individuals, dwelling units, households, or housing structures per unit of land.	OK
Building	BUILDING means any structure having a roof supported by walls which is solidly enclosed, including any area which is solidly enclosed with glass or any other rigid material which will not allow for the passage of air.	OK
Building, accessory	BUILDING, ACCESSORY means a subordinate and separate building located upon the same lot occupied by the main structure or where a main structure was previously located. Accessory buildings shall not be used as dwelling units, unless a conditional use permit is issued for an accessory dwelling.	OK
Building Footprint	BUILDING FOOTPRINT is the land area on which a proposed building is located.	OK
Building, Height of	BUILDING, HEIGHT OF means the vertical distance measured from the finished grade to the top of the highest roof beams on a flat or shed roof, the deck level on	BUILDING, HEIGHT OF means the vertical distance measured from the finished grade to the top of the

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	a mansard roof, and the average distance between eaves and the ridge level for gable, hip, and gambrel roofs. Note: Mechanical equipment, chimneys, air conditioning units, elevator penthouses, church spires and steeples, water towers, and similar appurtenances are exempted from height restrictions. However, these exclusive items may not exceed the height limit by more than fifteen feet. Height regulations shall be measured from the front elevation of the said building.	highest roof beams on a flat or shed roof, <u>to the top of a parapet</u> , the deck level on a mansard roof, and the average distance between eaves and the ridge level for gable, hip, and gambrel roofs. Note: Mechanical equipment, chimneys, air conditioning units, elevator penthouses, church spires and steeples, water towers, and similar appurtenances are exempted from height restrictions. However, these exclusive items may not exceed the height limit by more than fifteen feet. Height regulations shall be measured from the front elevation of the said building. <u>OK</u>
Building, Main	BUILDING, MAIN means the principal structure or the principal building on a lot or the building or the principal building housing the principal use on a lot.	OK
Building, Parcel	BUILDING, PARCEL means a fraction of a tract of land containing one or more building lots. Parcel used but not building parcel other than definition	Recommend delete <u>OK</u>
Apartment House	APARTMENT HOUSE means a building used or intended to be used as the residence of three or more families living independently of each other	APARTMENT BUILDING means a building used or intended to be used as the residence of three or more households/families living independently of each other <u>OK</u>
Apartment Unit	APARTMENT UNIT is considered one or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit in a building containing three or more dwelling units.	OK
Bed and Breakfast	BED AND BREAKFAST or TOURIST HOME means a single-family dwelling containing sleeping and/or breakfast accommodations as an accessory use to the principal use. Such lodging shall have room accommodations for transient persons and wherein a charge is normally paid for such accommodations. Tourist Home included in parking table (with B&B) Included in CUP in R-1, Harbor District (with B&B)	BED AND BREAKFAST or TOURIST HOME means a single-family dwelling containing sleeping and/or breakfast accommodations as an accessory use to the principal use. Such lodging shall have room accommodations for transient persons and wherein a charge is normally paid for such accommodations. Owner <u>or manager</u> is a permanent dweller <u>residing</u> on site. Delete TOURIST HOME. <u>OK</u>

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Boarding House	BOARDING HOUSE or ROOMING HOUSE means a dwelling unit or part thereof in which, for compensation, lodging and meals are provided; personal and financial services may be offered as well. Rooming houses, boarding houses included in parking table. Boarding house used in definition of guest room.	Delete Ok
Motel/Hotel	EXTENDED-STAY MOTEL/HOTEL shall mean any building containing six or more guest rooms intended or designed to be used, or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes for guests and contain kitchen facilities for food preparation, including but not limited to, such facilities as refrigerators, stoves, and ovens. May also be known as "apartment hotels."	Delete definition. OK
Hotel	HOTEL is a building in which lodging or boarding and lodging facilities are provided for transient guests, and offered to the public for compensation and in which ingress and egress to and from all rooms are through an inside lobby or office supervised by a person in charge at all hours.	OK
Motel	MOTEL is one or more buildings in which lodging or board and lodging are provided for transient guests for compensation. Ingress and egress to and from all rooms are made primarily directly from an exterior walkaway rather than from an inside lobby.	MOTEL is one or more buildings in which lodging or board and lodging are provided for transient guests for compensation and supervised by a person in charge at all hours. Ingress and egress to and from all rooms are made primarily directly from an exterior walkaway rather than from an inside lobby. OK
Inn	INN means a commercial facility for the housing and feeding of transients. Term not used beyond definition.	Delete Ok
Lodging House	LODGING HOUSE means a facility in which rental sleeping accommodations are provided and in which meals may also be provided as part of the fee. Term not used beyond definition	Delete Ok
Guest House	GUEST HOUSE means living quarters on the same premises with the main building for use by temporary guest(s) of the occupant of the premises, such quarters having no separate utility meters and not rented or otherwise as a separate building. Term not used beyond definition.	Delete Ok

Guest Room	GUEST ROOM shall mean an accommodation combining living, sleeping, sanitary, and storage facilities within a hotel, motel, boarding house or extended stay (extended stay includes kitchen facilities). Term not used beyond definition and included in def of extended-Stay motel/Hotel.	Delete Ok
Trailer	TRAILER means a structure standing on wheels, towed or hauled by another vehicle, and used for short-term human occupancy, carrying materials, goods, or objects or as a temporary office. Term included under Signs, e.g., signs placed on vehicle or trailer parker.... Term included under Section 4.2.B, Trailer Parking Tractor trailer, semi-trailer	Ok

Review of 'Overcoming Land Use Ordinance Barriers to Housing Development' Report (May 27,2022)

Factor 4: Development Standards

Item	Study Recommendation/ Comment	Study Reference Location	Town's Substantiation/Reference Location	Planning Commission Recommendations/ Actions and rationale	Recommendation Pros and Cons
1	Finding: Basic development standards can unintentionally limit diversity. These standards maintain consistent residential character but if too stringent, they may limit a broader set of dwelling configurations that could accommodate greater housing diversity.	P.34			
2	Finding: Varying lot areas supports housing variety. Sufficient lot sizes can offer greater diversity in housing types.	P.34	Article III <u>Lot Sizes</u> RE – min one acre R-1 – min 5600 SF but addresses nonconforming lots R-2 – SF – 6000 SF min Patio – 6000 SF min Duplex – 10,000 SF min Zero lot line – 6000 SF min R-3 – Townhouse – 1500 SF/dwelling unit Multi-family – 1500 SF/dwelling unit	Variety of lot sizes available. No action required.	
3	Finding Low maximum lot coverage may limit housing diversity. • Typical lot coverage is 30-40% (single family) • Higher maximum lot coverages are typical for higher density unit	P.34			

	types, such as duplexes, townhomes and multifamily.				
4	Finding: Flexibility in setbacks supports diverse housing products. - Standards within Cape Charles's Residential Multi-Family (R-3) District offer reduced setbacks to accommodate a variety of uses, including zero-lot line, townhomes, and patio homes. - Most setbacks in other ordinances are standardized across all zoning districts, even those where slightly higher density uses are permitted.	P.34			
5	Finding: Reduced parking requirements can increase a property's development potential. - Across the board, the ordinances required 2 parking spaces per dwelling unit. - Each town ordinance discusses the ability for shared parking between uses, which is a best practice that offers flexibility and land efficiency, especially in mixed use areas.	P.35	Article IV, Section 4.5 <u>Off-Street</u> Parking The ability for Shared parking provided in Section 4.5.C. Section 4.5.B Parking Single-family residences - 2 spaces per dwelling unit in all districts other than R-1, otherwise none. Multifamily residences - 1 space per one-bedroom dwelling unit, otherwise two spaces per dwelling unit Mixed-use developments - 1.5 spaces per dwelling unit; 1 space per dwelling unit for age-restricted; plus 1 additional space per 200		

			square feet of commercial gross floor area		
			Accessory dwelling units - 1 space per bedroom		
6	Finding: While permitted building heights can ensure compatibility between new and existing development, standards may limit diversity and potential unit yield. Limiting height to two stories may limit the viability of multi-family development and reduce the overall number of units produced.	P.35	Article III RE – 40’ R-1 – 40’ / 2 ½ stories R-2 - 40’ R-3 – 40’ CR – 40’ Harbor – Mixed use 40’ and 40’ to ≤55’ elsewhere with conditions PUD – per underlying district	The average height of 1, 2, and 3 story houses are respectively 10, 20, and 30 feet. A good rule of thumb when calculating the height of a house is to allocate approximately 10 feet per floor plus the height of the roof (10 – 12 ft). Subcommittee – 1.Should we look at height requirements emanating from ‘center’ of town outwards towards harbor, i.e., higher at center and lower as one moves out. 2.Can a 3 story townhouse be built under 40’ or do we consider raising to 45’ in RE, R-2 and R-3 areas?	
7	Finding: Minimum house sizes limit housing diversity and middle housing opportunity. - Cape Charles ordinance includes minimum and maximum house sizes in its residential districts and building design standards. - Minimum building sizes may limit development of diverse housing options.	P.35	Article III <u>R-1 District</u> Lot <5600 SF, Min 960 and Max 2400 SF. 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%. Lot 5601 – 8400 SF, Min 960 and Max 3000 SF. Lot >8400 SF, Min 960 and Max 4500 SF.	Subcommittee Are there any non-conforming lots in R-1 where we would consider reduction to min 960? If the lot was 2800 SF and a 2400 SF house was placed on it = 86% coverage of land. 3000 SF max house size/5601 SF min lot = 54% coverage 4500 SF house size/8400 SF min lot size = 54% coverage	

			(Lot or Contiguous assemblage of lots.) <u>R-2 District</u> Minimum habitable areas for single family and patio homes are 1000 SF and each dwelling unit in the duplex shall have a min of 850 SF per unit. No more than 50% of the lot may be covered by the principal building and accessory buildings. <u>R-3 District</u> Townhouse Building coverage. No more than 60 percent of the lot may be covered by the structures. Multi-family Building coverage. No more than 45 percent of the lot may be covered by the structure.	No more than 50% of the lot may be covered by the principal building and accessory buildings. Building coverage. No more than 60 percent of the lot may be covered by the structures. No more than 45 percent of the lot may be covered by the structure.	
8	Finding: Ordinance provisions requiring specific identification or standards for rental units are exclusionary. Virginia Code specifies the condominiums must be treated the same under zoning, subdivision, site plan and other land use ordinances as would physically identical projects or developments under a different form of ownership.	P.35	Article II Ordinance Section 2.8, Condominiums and Cooperatives acknowledges the Virginia Code requirements.	No action required.	
	Recommendation 1. Amend ordinance to offer development standards specific to meet the community's desired housing variety.	P.35			

	Eliminate one size fits all in lot coverage, widths and areas, setbacks, and parking requirements.				
	Recommendation 2. Reduce setbacks between single family and higher density housing. Address physical form in lieu of large physical separation/setbacks.	P.35			
	Recommendation 3. Increase lot coverage maximum standards to permit mixed residential uses.	P.35	See item 2 above		
	Recommendation 4. Consider reductions in the required number of parking spaces to increase developable area of lots.	P.35	See item 5 above		
	Recommendation 5. Allow for increase building heights in appropriate areas. Increase allowable heights in appropriate areas such as areas where existing infrastructure is in place to support higher density residential uses but will not negatively affect scenic views.	P.35	See item 6 above		
	Recommendation 6. Remove constraints to housing diversity that may come from Min and Max dwelling sizes.	P.35	See item 7 above		
	Recommendation 7. Amend ordinances to remove language that is unclear and exclusionary to diverse and affordable housing.	P.35			



Municipal Corp. of Cape Charles

**NOVEMBER 2022
MONTHLY REPORT**

Katie H. Nunez, Planning/Zoning Administrator

1. Subdivision Agent:

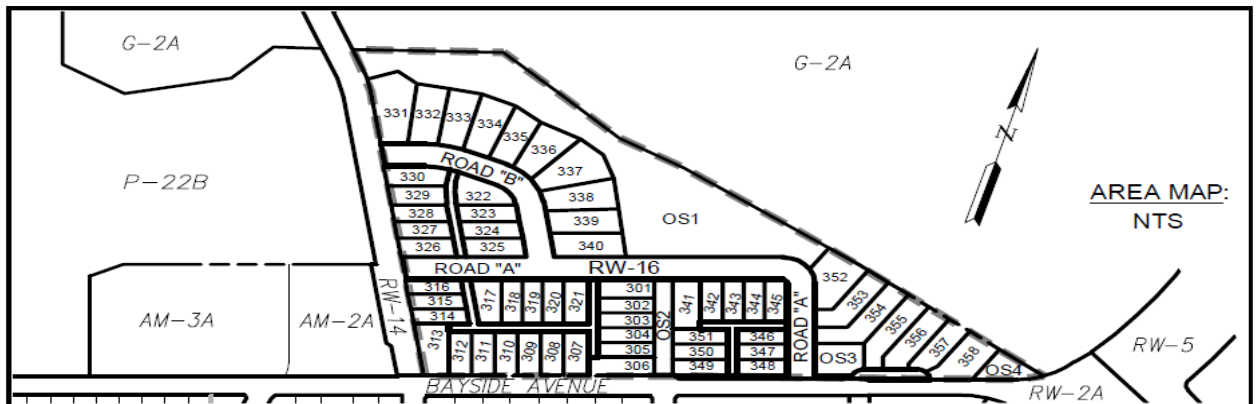
The office has received the following 2 preliminary plats for review:

A) Bayside Village Lots B-301 to B-358 (58 Lots)

Aerial Map of Tax Map #90-30-P14A (16.47 acres)



Layout of 58 lots on this parcel

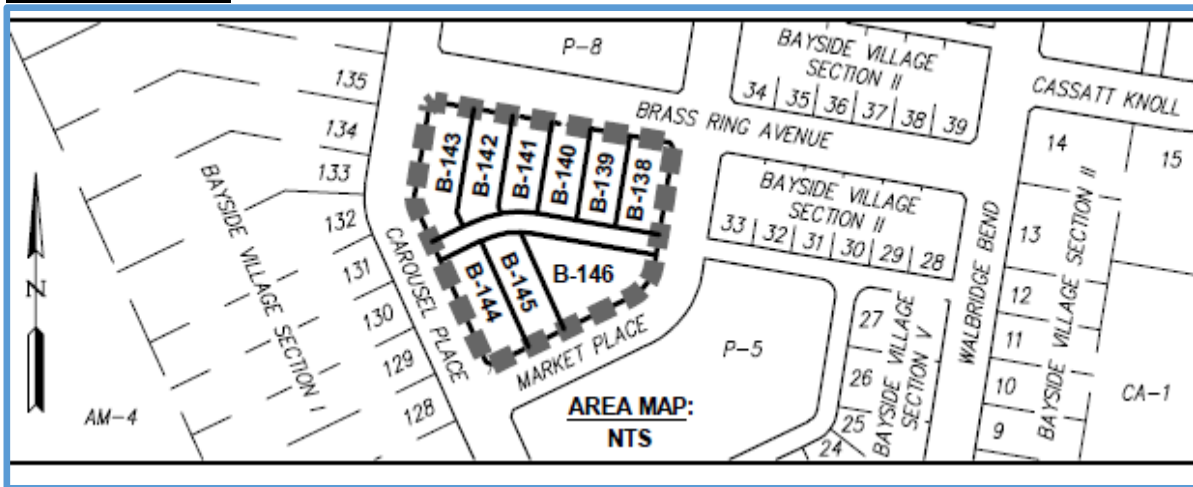


B) Bayside Village Lots B-138 to B-146 (9 Lots)

Aerial Map of Tax Map #90-30-P4



Layout of 9 Lots



C) BOARD OF ZONING APPEALS - CODE OF VIRGINIA SECTION 15.2-2310

[Planning Commission shall be provided any applications filed with the Board of Zoning Appeals.]

No applications filed for the November meeting.

D) STATUS REPORT ON HISTORIC DISTRICT GUIDELINES

We are on track with the consultants to receive the final version of the Guidelines, the Historic District Overlay Map, and the proposed zoning text amendments to CCZO Article VIII by Monday, November 14, 2022.

The Town has established the following public hearing schedule:

- Tuesday, December 6, 2022 – Joint Public Meeting with Town Council re: Zoning Text Amendment on Article VIII – Historic District Overlay & Map

- Thursday, December 15, 2022 - Town Council Regular Session to take action on the Adoption of the Historic District Guidelines and the Zoning Text Amendment of Article VIII (Historic District Overlay & Map)

E) **STATUS REPORT ON UPDATE TO COMPREHENSIVE PLAN**

Summit Design and Engineering Services, the Town's consultant for updating the Comprehensive Plan, has been diligently working on the various components of the Comprehensive Plan 5-Year Update and here is proposed schedule:

- **Tuesday, December 6, 2022 @ 6:00 pm** – Joint Public Hearing with Town Council & Consultant, Summit Engineering, on Adoption of Comprehensive Plan 5-Year Update
- **Thursday, December 15, 2022 @ 6:30 pm – Town Council Regular Session** – it is anticipated they will vote on adoption of Comprehensive Plan 5-Year Update

F) **OTHER**

I am working diligently with the developer, Lance Marine, on the components needed to submit to the Town for a workforce housing project at the 11+ acre lot off Old Cape Charles Road, adjacent to the Town Property identified as the Keck Well lot. We are working to have the full conceptual plan, drawings and draft PUD Ordinance submitted by November 30, 2022 and the developer making a full presentation to the Town Council at their December 15, 2022 meeting. It is anticipated that the Town Council may authorize staff to start the public hearing process for this project at the 12/15/2022 meeting.

2023 Planning Commission Complete* Application Deadline Schedule	
*Completed application is defined as all the documents listed under the Permit Checklist, this includes payment of fees. *	
Complete Application Deadlines	Regular Meetings
Thursday, November 3, 2022*	Tuesday, January 3, 2023
Thursday, December 1, 2022*	Tuesday, February 7, 2023
Thursday, January 5, 2023*	Tuesday, March 7, 2023
Thursday, February 2, 2023*	Tuesday, April 4, 2023
Thursday, March 2, 2023*	Tuesday, May 2, 2023
Thursday, April 6, 2023*	Tuesday, June 6, 2023
Thursday, May 4, 2023*	Tuesday, July 11, 2023
Thursday, June 1, 2023*	Tuesday, August 1, 2023
Thursday, July 6, 2023*	Tuesday, September 5, 2023
Thursday, August 3, 2023*	Tuesday, October 3, 2023
Thursday, September 7, 2023*	Tuesday, November 7, 2023
Thursday, October 5, 2023*	Tuesday, December 5, 2023
*End of business day 4:30 PM	