



January 15, 2026 Town Council Regular Meeting

January 15, 2026 at 6:00 PM

Cape Charles Civic Center - 500 Tazewell Avenue

Agenda

1. Call to Order

- A. Roll Call
- B. Establish Quorum

2. Moment of Silence and Pledge of Allegiance

3. Public Hearing: (3 minutes per speaker)

- A. Conditional Use Permit Application from the Cape Charles Rosenwald School Restoration Initiative
- B. Comprehensive Plan Amendment (CPA) 2026-01 and Zoning Text Amendment (ZTA) 2026-01– Public Hearing and New Business
- C. Comprehensive Plan Amendment (CPA) 2026-01 and Zoning Text Amendment (ZTA) 2026-01– Public Hearing and New Business

4. Close Public Hearing

5. Recognition of Visitors / Presentations / Recognitions

- A. Recycling Presentation - Gaelan Patel

6. Public Comments (3 minutes per speaker for topics not subject to this evening's public hearing)

7. Consent Agenda

- A. Approval of Agenda Format
- B. Approval of Minutes
- C. Approval of Financial Reports

8. Unfinished Business:

- A. Vote on Temporary Downtown Restroom Unit
- B. Review of Updated Possible Comparable Communities from Rural Resilience Advisors for Town Council Selection of 3

9. New Business:

- A. Conditional Use Permit Application 2026-01 from Rosenwald School
- B. Comprehensive Plan Amendment (CPA) 2026-01 and Zoning Text Amendment (ZTA) 2026-01– Public Hearing and New Business
- C. Comprehensive Plan Amendment (CPA) 2026-01 and Zoning Text Amendment (ZTA) 2026-01– Public Hearing and New Business

- 10. Town Manager Comments**
- 11. Mayor & Council Comments (5 minutes per speaker)**
- 12. Announcements**
- 13. Adjournment**

**TOWN OF CAPE CHARLES
TOWN COUNCIL – PUBLIC HEARING**

Section 3, Item A.

The Cape Charles Town Council will hold a public hearing on Thursday, January 15, 2026, at 6:00 p.m., in the Cape Charles Civic Center, 500 Tazewell Avenue, to receive comment on the following request:

- A. Conditional Use Permit Application (CUP) 2026-01:** From the Cape Charles Rosenwald School Restoration Initiative for the review of a comprehensive sign plan as part of a conditional use permit application in the commercial district (C-1), per Cape Charles Zoning Ordinance Section 5.3 (F).
- B. Comprehensive Plan Amendment 2026-01:** Application from the Town of Cape Charles to amend page 41, Accessory Dwelling Units by removing language that prohibits ADUs being rented for less than 30 days, and
- C. Zoning Text Amendment (ZTA) 2026-01:** Application from the Town of Cape Charles to amend Article IV Section 4.1 (J) (2) (a) and Section 4.14 to incorporate new language to allow Accessory Dwelling Units (ADUs) to be rented as a Short-Term Rental.

These applications, along with the completed Zoning Text Amendment, are available for public review on our website at www.capecharles.org under *Agendas and Minutes/Upcoming Meetings*. Please contact the Zoning Administrator, Katie Nunez, at (757)-331-2036, or by email at planner@capecharles.org if you have any questions or need additional information. Anyone interested in attending and requiring special assistance should contact the Town at least 48 hours before the hearing.

GP BACKROAD RECYCLING

Recycle Today For A Better Tomorrow

*A curbside recycling proposal for the Town of
Cape Charles, Virginia*

Who is GP Backroad Recycling?

- Locally operated recycling service focused on small communities
- **Mission:** *Recycling Today For A Better Tomorrow*
- **Commitment:** Keep recyclable materials out of the landfill and in the circular economy
- Focus on simple, reliable curbside collection

What Cape Charles throws away today

- Over **2,624,000 pounds** of trash produced each year
- About **839,680 pounds** of that is recyclable material
- That means roughly **32 percent** of what goes to the landfill could be recycled instead

Why this matters

- Fewer tons to landfill can reduce long term disposal costs
- Less strain on transfer and landfill capacity
- Cleaner image for residents and visitors
- Aligns with regional and statewide sustainability goals
- Educates the next generation about responsible waste habits



Our solution

Single Stream Curbside Recycling

- One cart for all recyclable materials
- Simple “all together” system, no sorting required by residents
- Biweekly pickup on Friday
- Materials delivered to RDS in Portsmouth for processing



How it works



Fill the Cart

Place accepted recyclable materials loose in the cart. No bags, no sorting need.



Set it Out

Roll the cart to the curb the night before the scheduled pickup



We take it from there

GP Backroad Recycling collects and hauls the material. Loads delivered to RDS in Portsmouth for processing.

What you can recycle

Cardboard and
paper

Paperboard and
cartons

Metal cans
(aluminum and
steel)

Plastic bottles
and containers (by
number, as allowed)

Glass bottles and
jars

Exact material list will
match RDS guidelines to
keep contamination low.

Environmental Impact

- Diverts up to **839,680 pounds** of material from landfill each year, based on current estimates
- Reduces the volume of trash transported and buried
- Cuts the lifetime environmental footprint of glass, metals, and plastics

Let's keep recyclable material out of the landfill and give Cape Charles a program that matches the pride people already feel in this town

Thank you

GP Backroad Recycling
GPBackroadRecycling@gmail.com
(757-695-0947)
29464 Lucilles Lane,
Cape Charles, Virginia 23310



DRAFT
Town Council Special Meeting
December 4, 2025
6:00 p.m.
Cape Charles Civic Center
500 Tazewell Avenue, Cape Charles, Virginia

CALL TO ORDER

Mayor Charney called the Town Council Special Meeting to order at 6:00 p.m.

ROLL CALL

Council Members present were: - Mayor Charney, Vice Mayor Buchholz, Councilwoman Ashworth, Councilman Butta, Councilman Grossman, Councilwoman Holloway, Councilman Newman

Others in attendance were: Town Manager Rick Keuroglan, Project Manager Bob Panek, Planning & Zoning Director Katie Nunez, Harbor Master Paula Davis, Assistant to the Town Manager Pam Endlein, Town Clerk Libby Hume, From the Berkley Group: Catherine Redfearn and Brooke Frink, from Rural Resilience Advisors: David Denny and Liz Povar

There were five members of the public in attendance.

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Council observed a moment of silence followed by the Pledge of Allegiance.

PUBLIC HEARING

No public hearing was held.

PUBLIC COMMENTS

There were no public comments, either in person or submitted in writing.

UNFINISHED BUSINESS

A. *Downtown Restrooms:*

This item was postponed to the December 18, 2025 Regular Town Council Meeting.

NEW BUSINESS

A. *Harbor Boardwalk Reconstruction – Phase 2*

Bob Panek provided an overview of the Phase 2 Harbor Boardwalk Reconstruction project, outlining the unusual circumstances surrounding the bidding process. He explained that the original low bidder defaulted after beginning demolition work, requiring the Town to re-solicit bids from the remaining bidders. He went on to detail the bid review process and noted that one revised bid was reduced by approximately 44%, which was determined to be non-responsive and not responsible based on prior performance history and the impracticality of completing the work at that price. He cited previous issues with contractor performance and supervision on earlier projects and explained the legal standards for determining contractor responsibility under Virginia procurement law.

Council discussed the appeal process, noting that work could proceed unless a court found the Town’s determination to be arbitrary or capricious. Bob Panek advised that the likelihood of such a finding was low. It was estimated that construction would resume within approximately two weeks following contract execution and be completed prior to the busy season.

Motion made by Councilman Newman, seconded by Councilman Butta, to approve the Determination of Non-responsibility and authorize the Town Manager to proceed with the notification and written determination process pursuant to Code of Virginia § 2.2-4359, and to award the contract to Pratte Construction, Inc. in the amount of \$123,380, with a contingency reserve of \$5,620 should additional damage be discovered during reconstruction. The motion was approved by unanimous vote.

B. Railyard & Harbor Area Master Plan Kick-Off Meeting – Berkeley Group

Katie Nunez introduced the Berkeley Group and project partners and provided an overview of the Railyard and Harbor Area Master Plan initiative. She explained that the effort would focus on long-term planning for the former rail yard and adjacent harbor areas, emphasizing community engagement, economic analysis, and conceptual planning.

Catherine Redfearn of the Berkeley Group outlined the master planning process, explaining that the plan will be a conceptual guide rather than a final design or engineering document. She reviewed the project goals, scope, anticipated timeline of approximately 11 months, and opportunities for public and Steering Committee involvement.

David Denny and Liz Povar of Rural Resilience Advisors presented an overview of comparable community analysis and requested Council input on selecting comparable municipalities for further study. Council discussed various coastal and historic towns, identifying several communities for removal from consideration and requesting additional review on others before final selections were made in January 2026.

Council participated in an interactive visioning exercise using real-time polling technology. Discussion focused on guiding principles for redevelopment, including integrated and context-sensitive design, walkability, balanced mixed-use development, accessibility, preservation of community character, and public waterfront spaces. Council emphasized the importance of ensuring the area had a cohesive feel with the rest of Cape Charles and supported year-round economic vitality.

Staff and consultants discussed strategies for engaging full-time residents, part-time residents, and property owners through both in-person and online participation tools.

TOWN MANAGER COMMENTS

Rick Keuroglan thanked Libby Hume for her assistance with the survey. They reviewed all the details from the last meeting and updated the survey for Council’s final review. Please let him know of any additional changes by noon tomorrow. His goal was to go live with the survey next Monday. Hard copies would be mailed, and the electronic version would be on the website.

There was some discussion regarding accepting survey responses from all adults within a household. Language would be added to the survey encouraging all adults within the household to participate in the survey.

MAYOR & COUNCIL COMMENTS

Councilwoman Holloway commented as follows: i) She congratulated Cape Charles Main Street and its volunteers for the first Festive Fridays last week. She was out of town but heard great things. The volunteers worked incredibly hard to organize Festive Fridays. She encouraged everyone to attend. Festive Fridays would continue over the next three Fridays; ii) The 11th Annual Lighted Golf Cart Parade would be held this Saturday. The first year, we had about five golf carts and it grew each year. We had 35 golf carts registered so far. She would be posting a map of the route which would lead into Central Park for the Grand Illumination.

Councilman Newman stated that Council was doing everything they could to involve the community in the harbor planning process. A committee of stakeholders from every group in town was formed. Every year, we asked about the best way to get messages and information to the community and he did not want to hear from people stating that this was the first time they had heard of it. There were opportunities out there, whether in person or virtual, for everyone to be involved in the process. He asked that everyone be part of the process and not just criticize it after all the work had been put into it.

Councilman Butta commented as follows: i) To add to Councilwoman Holloway's comments regarding Festive Fridays, be on the lookout for an announcement of any possible changes given the predicted weather. He heard that the train had been canceled for tomorrow night; ii) The Cookie Trail would be on the following weekend. Three restaurants and 7 or 8 homes would be open. Registration would be at the Alameda in Hotel Cape Charles. Please bring a non-perishable food item for the Food Pantry; iii) The town-wide holiday home decorating contest was back this year. So many people put in a lot of time decorating their homes, so they need to register for the contest to be recognized. There will be prizes for the winning homes.

Mayor Charney also thanked Cape Charles Main Street for Festive Fridays. Last week was unbelievable even with the weather. It was definitely the most crowded that he had seen. He also thanked the public works crew for all their work and asked the community to thank them if they saw them around town. It was not easy to keep all the lights on right now with constant issues with fuses, breakers, etc. It looked beautiful. He also thanked Councilwoman Ashworth for her efforts on SailFest 250 which was going to be a phenomenal event. June would be here soon.

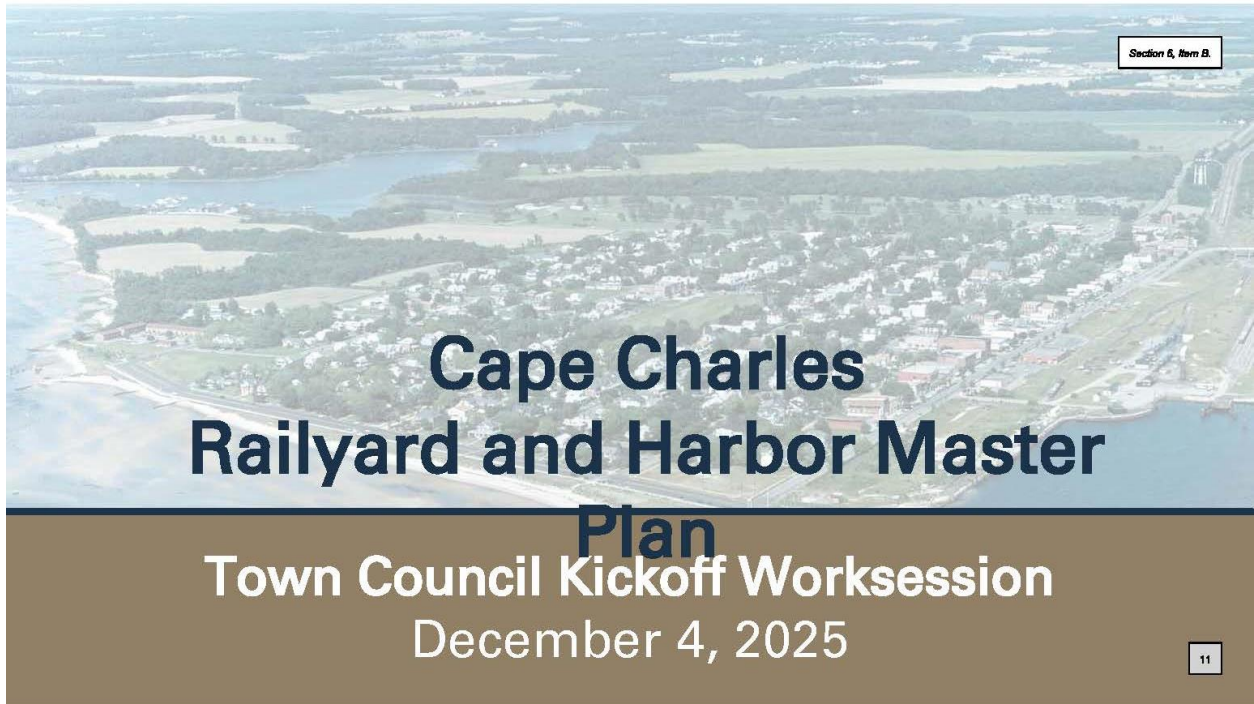
ADJOURNMENT

Motion made by Vice Mayor Buchholz, seconded by Councilwoman Holloway, to adjourn the Town Council Special Meeting. The motion was approved by unanimous vote.

The meeting adjourned at 7:44 p.m.

Adam Charney, Mayor

Libby Hume, Town Clerk



Meeting Objectives



Introductions



What is the *Railyard and Harbor Master Plan*?

What is the Process?

How is the Community Involved?



Review Comparable Communities for Economic Profile



Railyard and Harbor Master Plan Visioning Exercise

Meet the Team

Section 6, Item B.

BERKLEY GROUP



Catherine Redfeam
Project Manager



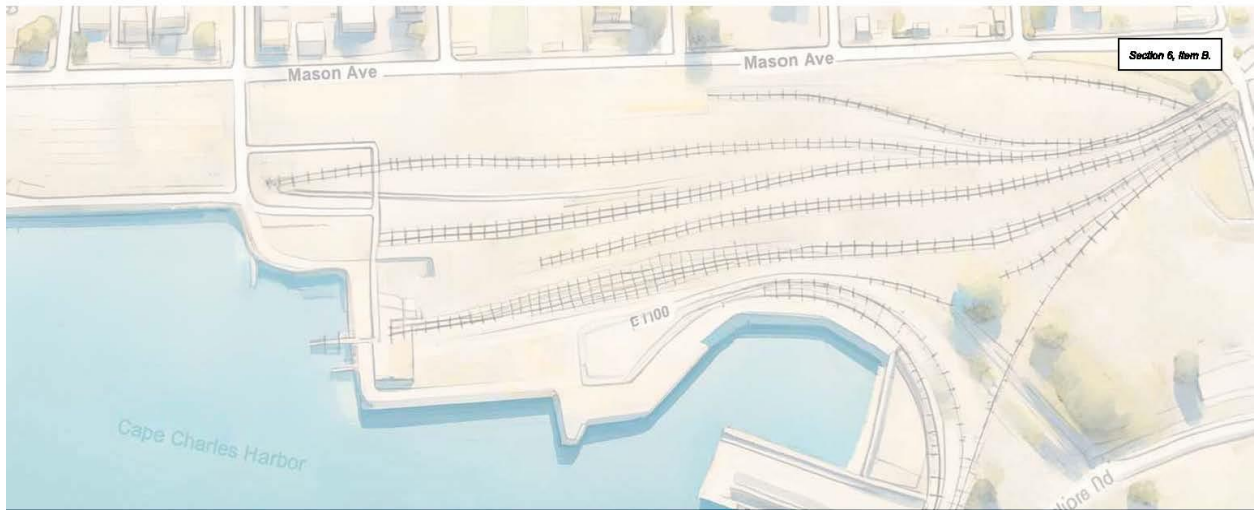
Brooke Frink, CZA
Project Support



Stephanie Mathena, AICP
Project Support



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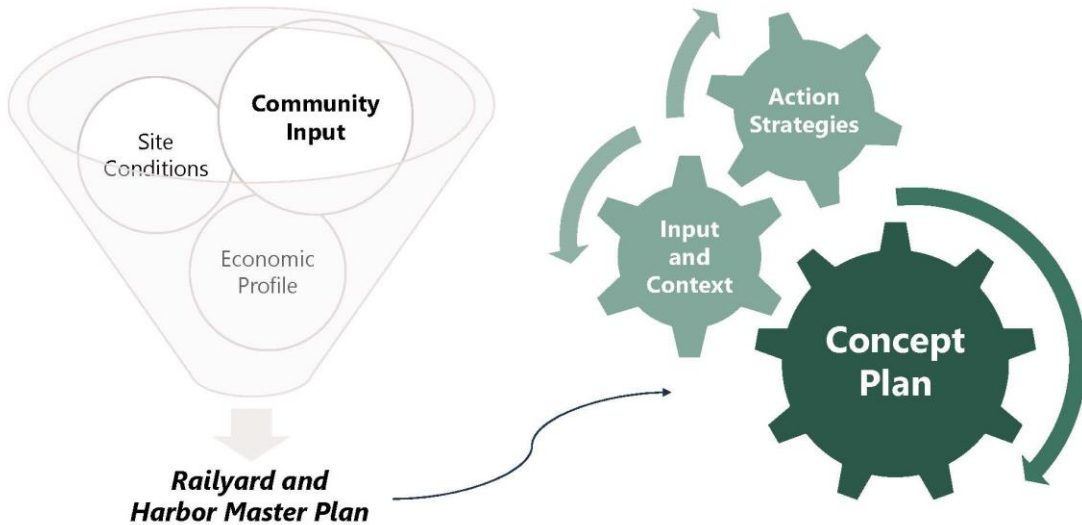
Section 6, Item B.

What is the Railyard and Harbor Master Plan?

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Railyard and Harbor Master Plan

Section 6, Item B.



Concept Plan

Section 6, Item B.

What a Concept Plan Is...

- ✓ A community-driven and informed idea.
- ✓ A way to test ideas, illustrate possibilities, and begin community conversation.
- ✓ A big-picture vision for how a site could develop.
- ✓ A tool to identify land use patterns, site layout, and relationships between spaces.
- ✓ A strategic assessment for identifying opportunities, challenges, and desired outcomes.

What a Concept Plan Is Not...

- ⊗ A final design, construction, or engineering plan.
- ⊗ A commitment to a specific development or project.
- ⊗ A market-tested scenario.

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Concept Plan *Example*

Section 6, Item B.




Annaburg Park Master Plan

Implementation and Next Steps (Continued)

3. Prioritize Funded Projects
 Focus on projects that are already funded or need minimal funding, or that are a top priority for the park to function. These may include existing the donated artwork, implementing gardens that will be installed and maintained by local groups, working with an arborist to prune and shape the arbutus hedge, reconstructing the parking lot to add in stormwater function (including the beautification garden and ADA parking spaces), and installing the fountain if current funding is in place.

4. Coordinate Construction & Site Work
 Select projects for design and implementation based on need, available funds, and logistics. Once the house is stabilized, the parking lot is reconstructed, and existing vegetation has been cared for, the flow of project implementation will vary. Ideally, if funding allows, the most site-intensive projects will be designed, engineered, and built first. These include the paved walking paths (including the historic driveway alignment), the picnic shelter and restrooms, the reconstructed east-wood garage and picnic shelter, new surface on the plaza and central promenade, the event pavilion, the playground and play equipment, and the stone wall in the historic tower location.

5. Complete Park Amenities
 Once construction of the larger park features is complete in each section of the park, the focus can shift to the arboretum, additional gardens, site amenities such as benches, bike racks, and planters, signage and historic interpretive markers. Funding for these amenities could be solicited through the City's Parks for Parks program or a standalone Annaburg donation campaign.



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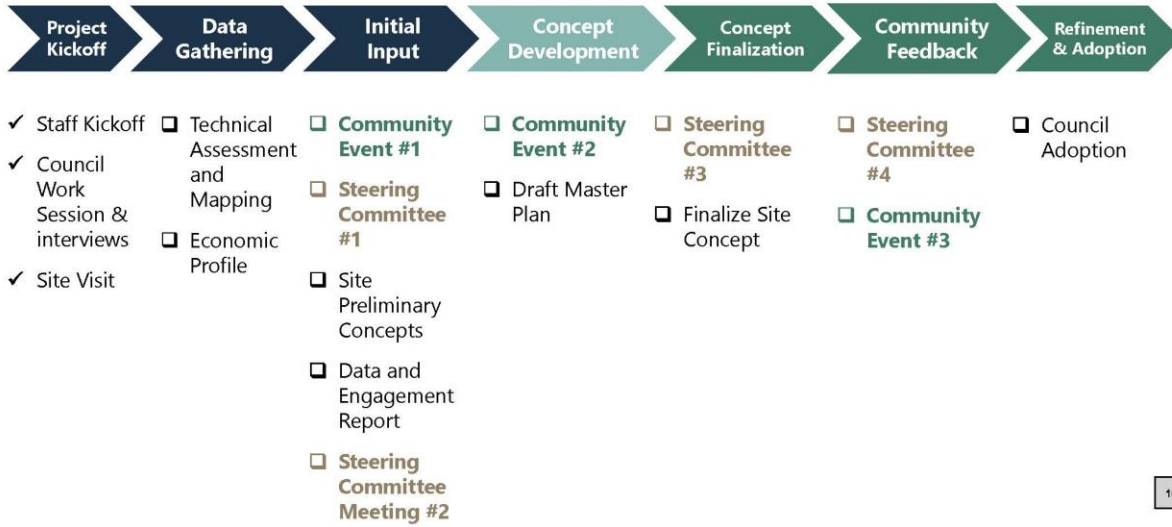


Section 6, Item B.

Project Schedule

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Project Schedule



How is the Community Involved?

Community Engagement Plan

Section 6, Item B.



Set the Vision

Community Event #1 (2-day)

Steering Committee #1 (Kickoff & Vision)

Steering Committee #2 (Site Analysis & Engagement Results)

React & Refine

Community Event #2 (2-day)

Steering Committee #3 (Draft Concept Review)

Finalize Concept & Plan

Steering Committee #4 (Final Concept Review)

Community Event #3

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Steering Committee

Section 6, Item B.



Town Staff

- Administration
- Planning,
- Harbor Master
- Code Official

Town Council

Planning Commission



Harbor Area Review Board



Railroad Property Owners



Commercial Representatives

- Cherrystone Investments
- VA Marine Equipment
- Royal Farms



Community Representatives

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Section 6, Item B.

Questions?



Section 6, Item B.

Rural Resilience Advisors

Economic Profile – Comparable Community Analysis

Section 6, Item B.



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Section 6, Item B.

Visioning Exercise

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Interactive Polling



Thank You!



DRAFT
Town Council Regular Meeting
December 18, 2025
6:00 PM
Cape Charles Civic Center, 500 Tazewell Avenue

CALL TO ORDER

Mayor Charney called the Regular Meeting of the Cape Charles Town Council to order at 6:00 p.m.

ROLL CALL

Council members in attendance: Mayor Charney; Vice Mayor Buchholz; Councilmen Butta, Grossman and Newman, Councilwomen Ashworth and Holloway

Others in attendance: Town Manager Rick Keuroglan, Project Manager Bob Panek, Treasurer Marion Sofield, Planning & Zoning Director Katie Nunez, Code Official Jeb Brady, Compliance Officer & Inspector Casey Quilter, Finance Clerk Ryan Silvey, Sergeant Billy Lewis, Assistant to the Town Manager Pam Endlein, Town Clerk Libby Hume

There were three members of the public in attendance.

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Council observed a moment of silence followed by the Pledge of Allegiance.

PUBLIC HEARING

No public hearing was held.

RECOGNITION OF VISITORS / PRESENTATIONS / RECOGNITIONS

A. Short-Term Rental Software Presentation

Town staff provided a detailed presentation on the implementation of the Town’s new Short-Term Rental (STR) software platform, which was intended to centralize STR licensing, compliance monitoring, and Transient Occupancy Tax (TOT) reporting. Staff introduced the Town’s Short-Term Rental Compliance Officer, Casey Quilter, and explained that the system had been under development and testing for several months in coordination with multiple departments.

Staff demonstrated the public-facing STR portal, which will be accessible through the Town’s website. The portal would display a GIS-based map of all licensed short-term rental properties within the Town, allowing the public to view the general location and number of bedrooms associated with each licensed STR. Staff explained that this information was intended to provide transparency while balancing privacy, and that unlicensed properties would be tracked internally for enforcement purposes.

The presentation also covered the new STR complaint reporting portal. Staff explained that the complaint form was designed primarily for neighbors and members of the public to report potential STR issues such as noise, trash, parking, overcrowding, or illegal rentals. Council discussed whether complaints should be anonymous or require contact information. Staff noted that providing contact information would assist with follow-up and investigation considerations and the limitations of modifying vendor-hosted forms. Council members expressed concern about anonymous complaints and discussed options such as requiring contact information or implementing authentication measures to reduce frivolous or duplicate submissions.

Staff then demonstrated the STR owner and manager portal, including account creation, two-step authentication, dashboard navigation, certificate renewal, application for new STR certificates, and online payment processing. Staff explained that all existing STR owners had been pre-populated in the system and would verify and update their information during renewal. Council discussed the requirement that applications be completed in one session, as information could not be saved mid-process, and staff noted that training materials and future instructional sessions would be provided to assist users.

A significant portion of the discussion focused on Transient Occupancy Tax (TOT) reporting. Staff explained the proposed transition from monthly to quarterly reporting and demonstrated how gross revenue would be reported by platform, including Airbnb, VRBO, and other rental methods. Council raised detailed questions regarding reconciliation of third-party intermediary payments, the \$4-per-night fee, verification of reported nights, and the potential for double taxation. Staff acknowledged existing challenges with obtaining detailed reporting from third-party platforms and stated that the new system was intended to improve long-term tracking and auditing, and additional refinements might be explored with the software developer.

Council members discussed the importance of accurate data for budgeting, enforcement, and policy decisions, as well as the need for clear guidance to STR owners to avoid confusion. Staff confirmed that true-ups would occur as needed to reconcile estimated versus actual revenues and that future licenses would not be issued until outstanding obligations were resolved. No formal action was taken following the presentation, and staff would continue refining the system and return with recommendations as appropriate.

PUBLIC COMMENTS

No public comments were received.

CONSENT AGENDA

A. Approval of Agenda Format

B. Approval of Minutes

- November 6, 2025 Town Council Work Session
- November 20, 2025 Town Council Regular Meeting
- November 20, 2026 Town Council Work Session

C. Approval of October 2025 Financial Report

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to approve the Consent Agenda items as presented. The motion was approved by unanimous vote.

UNFINISHED BUSINESS

A. *Downtown Restrooms*

Town Manager Rick Keuroglan stated that it might have been his misunderstanding of the Council’s discussion at the last meeting, but he had been working with the building owner on a lease agreement with the terms that were discussed. He understood that Council needed to vote on the location prior to reviewing a lease agreement. This item would be brought to Council at a special meeting on January 8th for further review.

Councilwoman Ashworth asked for an update on the temporary restrooms. Rick Keuroglan stated that he reached out to the vendor and was awaiting their response. He would be able to provide an update on the temporary restroom at the January 8th special meeting.

B. *Permitting Accessory Dwelling Units for Short-Term Rentals*

Katie Nunez explained that this item was brought forward as a follow-up to prior Council discussion, including the October meeting, during which concerns were raised regarding

consistency between the Comprehensive Plan, zoning regulations, and the Town’s existing short-term rental ordinance. Staff noted that the current zoning framework allows ADUs in certain districts and that short-term rentals are regulated separately through licensing, inspection, and Transient Occupancy Tax requirements.

There was some discussion as follows: i) Councilman Grossman reiterated his position that the Comprehensive Plan already provided sufficient policy direction and that adding further language could unnecessarily complicate implementation. He emphasized that the Town’s short-term rental ordinance already established operational controls, enforcement mechanisms, and licensing requirements that would apply equally to ADUs if they were otherwise permitted by zoning; ii) Council members expressed concerns related to neighborhood compatibility, density, parking impacts, and enforcement consistency.

Katie Nunez stated that the comprehensive plan and zoning text amendment relative to this issue were scheduled for a public hearing for the Planning Commission on January 6th, then for Town Council public hearing on January 15th.

NEW BUSINESS

A. *Town Code Changes re Transient Occupancy Tax (§§ 18-196 & 18-198)*

Council considered proposed amendments to the Town Code related to the administration of the Transient Occupancy Tax (TOT), specifically §§ 18-196 and 18-198, in order to align reporting and remittance requirements with the Town’s newly implemented short-term rental software platform.

Town staff explained that the proposed amendments would revise the TOT reporting and remittance schedule from **monthly to quarterly** and eliminate the **on-time payment discount** currently provided in the Code. Staff noted that these changes are necessary to ensure consistency with the capabilities and structure of the new STR software system and to improve long-term tracking, reconciliation, and auditing of TOT revenues.

There was discussion as follows: i) Council members discussed the limitations of third-party intermediary reporting, particularly from platforms such as Airbnb and VRBO, which remit taxes in aggregate without property-level detail. Staff explained that the new system is designed to begin addressing these gaps by collecting standardized revenue data directly from property owners, while also reconciling payments received from third-party platforms; ii) Council discussed the existing on-time payment discount and expressed differing views regarding its fairness and effectiveness. Some Council members noted that the discount primarily benefited a limited subset of lodging operators and did not apply uniformly to short-term rentals using third-party platforms. Staff further explained that the current software was not configured to calculate or administer the discount across all reporting categories, creating potential inconsistencies; iii) Council also discussed the \$4-per-night fee and challenges associated with verifying the number of occupied nights when third-party intermediaries remitted payments without detailed breakdowns. Staff noted that the revised reporting structure represented a first step toward improved data collection and compliance verification and that additional refinements might be pursued as more reliable data became available.

Motion made by Councilman Butta, seconded by Councilman Grossman, to amend the Cape Charles Town Code, Chapter 18, Article V (Transient Occupancy Tax), §§ 18-196 and 18-198, to revise the reporting and remittance schedule from monthly to quarterly and to eliminate the on-time payment discount. The motion was approved by unanimous vote. Roll call vote: Ashworth, yes; Buchholz, yes; Butta, yes; Grossman, yes; Holloway, yes; Newman, yes.

B. *Reappointment of Historic District Review Board Member*

Motion made by Councilman Grossman, seconded by Vice Mayor Buchholz, to reappoint Kathy Glaser to the Historic District Review Board for another five-year term. The motion was approved by unanimous vote.

Councilwoman Holloway thanked Ms. Glaser for her service on the Historic District Review Board and her willingness to continue on the board for another five years.

TOWN MANAGER COMMENTS

Town Manager Rick Keuroglan provided several administrative and operational updates to Council:

- i) He advised Council that Town staff had recently experienced a significant level of illness, which affected multiple departments simultaneously and created operational challenges. He noted that despite these circumstances, staff continued working through critical deadlines and responsibilities;
- ii) He reported on the recent distribution of the Town survey, explaining that the survey was successfully issued earlier in the week after an intensive effort by staff. He stated that approximately 2,500 surveys were mailed and that initial responses had already begun to come in. While early participation was limited, he expressed confidence that additional responses would be received over time. He emphasized the substantial amount of staff time and effort required to prepare, distribute, and manage the survey, noting that multiple staff members were heavily involved throughout the process. He publicly acknowledged and thanked staff for their work, specifically recognizing Pam Endlein, Libby Hume, Marion Sofield, Katie Nunez, and others for their contributions and coordination under tight timeframes. He further explained that staff had been asked to track and calculate the total number of staff hours and associated costs dedicated to the survey effort. He stated that this information would be valuable for Council’s consideration when evaluating whether future surveys should continue to be handled internally or whether contracting with a third-party vendor might be more cost-effective and efficient. He noted that this analysis would help inform broader discussions about survey frequency, methodology, and resource allocation, including whether surveys should be conducted less frequently or using alternative approaches to reduce staff burden while still obtaining meaningful community input. He reiterated his appreciation for staff resilience and teamwork during a demanding period and indicated that additional updates would be provided to Council as survey data and cost analyses become available;
- iii) He advised Council that he had been in communication with Virginia American Water regarding service performance, coordination, and the required report to Council that was due within 12 months of purchase. Virginia American Water was expecting to finish their studies by February and would be bringing their plan to Council afterwards. Katie Nunez added that she had been working with Virginia American Water over the last 9 months regarding growth projections. There was some discussion regarding the frequency of water flushes;
- iv) The site plan drawings for the new municipal building at the corner of Randolph and Fig were completed by HBA and submitted to VDOT and the zoning administrator for review. It was anticipated that the review of the site plan and any necessary revisions would be completed by the end of January. Updates to the building drawings to reflect the new building code and any changes necessitated by the new site plan should be completed by the end of February. We were targeting advertising for bids by mid-March;
- v) He briefed Council on the **workforce housing proposals** that had been received by the Town and are currently under review by a subcommittee. Follow up questions were sent to three of the proposers and their responses were expected by late January;
- vi) He provided an update regarding the **Beachfront Master Plan**. We were hoping to have the RTA Grant (Rural and Tribal Assistance Pilot Program) awards announced in December but this could be delayed due to the government shutdown. If we did not get the RTA grant award, Ricky Wiatt, our consultant, was preparing to work on two other grants. Ricky Wiatt would like to meet with Council in January or February to present the final plan. He would provide dates to Council after hearing back from Mr. Wiatt;
- vii) He provided a statement regarding the external investigation. A special prosecutor was named and would most likely begin interviews with selected staff in January. He contacted the author of the Mirror to address the misinformation;
- viii) All department heads would be submitting their mid-year budget adjustments in early January. This information would be compiled and presented to Council, hopefully in time for the January regular meeting. If the aggregate

amount of the adjustment exceeded 1% of the current budget, a public hearing would be required under state law; ix) Staff would provide Council with the financial closing information for fiscal year 2025 at the February regular meeting; x) In our staff department meetings, we had been discussing the creation of values that we would upload. We were pretty close to finalizing things and he hoped to bring those values to Council at the January regular meeting. We would be creating posters and other items to display in Town Hall, the civic center, etc; xi) His manager’s report was submitted to Council earlier today; xii) A previous staff member, Jerry Murphy, passed away a couple of days ago. He was our staff accountant and worked with the town for years. Jerry was hoping to come back to work but ended up retiring in October. He was a great employee and well-loved by all who worked with him.

MAYOR & COUNCIL COMMENTS

Councilwoman Holloway commented as follows: i) She hoped that everyone had been able to enjoy Festive Fridays as they had been incredible this year. She hoped we could take some moments to thank the many volunteers from our community who made it all happen. The public works crew had been wonderful every week; ii) Over 700 people participated in the Cookie Trail on Saturday. She gave special thanks to Ami Butta and the Vacation Rental Homeowners group who took over the event from the Bed & Breakfasts years ago and made it their own. They had done a phenomenal job with it.

ANNOUNCEMENTS

- A. December 19, 2025 – Town offices closing at noon for Employee Christmas Party
- B. December 24–26, 2025 – Town offices closed for Christmas Holiday
- C. January 1–2, 2026 – Town offices closed for New Year’s Holiday
- D. January 8, 2026 – Town Council Special Meeting
- E. January 15, 2026 – Town Council Regular Meeting

Mayor Charney wished everyone a Merry Christmas and a Happy New Year.

ADJOURNMENT

Motion made by Councilman Grossman, seconded by Vice Mayor Buchholz, to adjourn the Town Council Regular Meeting. The motion was approved by unanimous vote.

The meeting adjourned at 8:17 p.m.

Adam Charney, Mayor

Libby Hume, Town Clerk

Presentation from December 18, 2025 Town Council Regular Meeting

Cape Charles STR Portal Introduction



https://www.capecharles.org/planning-zoning/page/short-term-rentals-vacation-rentals

STR Home Page Northampton Coun... Google Earth Online Time and Att... Rentalscape ICC Auth Portal Property Info Search eBridge Login Housing Code Login Anthem.com USPS Tracking

Scammers Sending Fraudulent Invoices

Our Community Government Residents Visitors Business

Planning & Zoning

- Annexation Agreement
- Applications and Forms
- Boards and Commissions
- Cape Charles Community Multi-Use Trail Project
- Chesapeake Bay Preservation Act
- Comprehensive Plan
- Flood Insurance Rate Maps
- Harbor Area Master Plan
- Online Planning Files
- Railroad & Harbor Area Master Planning
- Resilience Adaptation Feasibility Tool (RAFT)
- Sanborn Maps
- Short-Term Rentals - Vacation Rentals**
- Tree Policies and Regulations
- Zoning Ordinance

Short Term Rentals - Vacation Rentals

We are excited to launch a more convenient way for you to renew or apply for a new Short Term Rental (STR) certificate online!

Please go to the Cape Charles STR Certificate and Tax Portal here: [Customer Portal](#)

The Town's STR customer portal integrates the process of obtaining your Town business license, STR application, STR inspection, Transient Occupancy Tax (TOT) reporting and payment, Zoning approval, and Occupancy Certificate all in one.

Note:

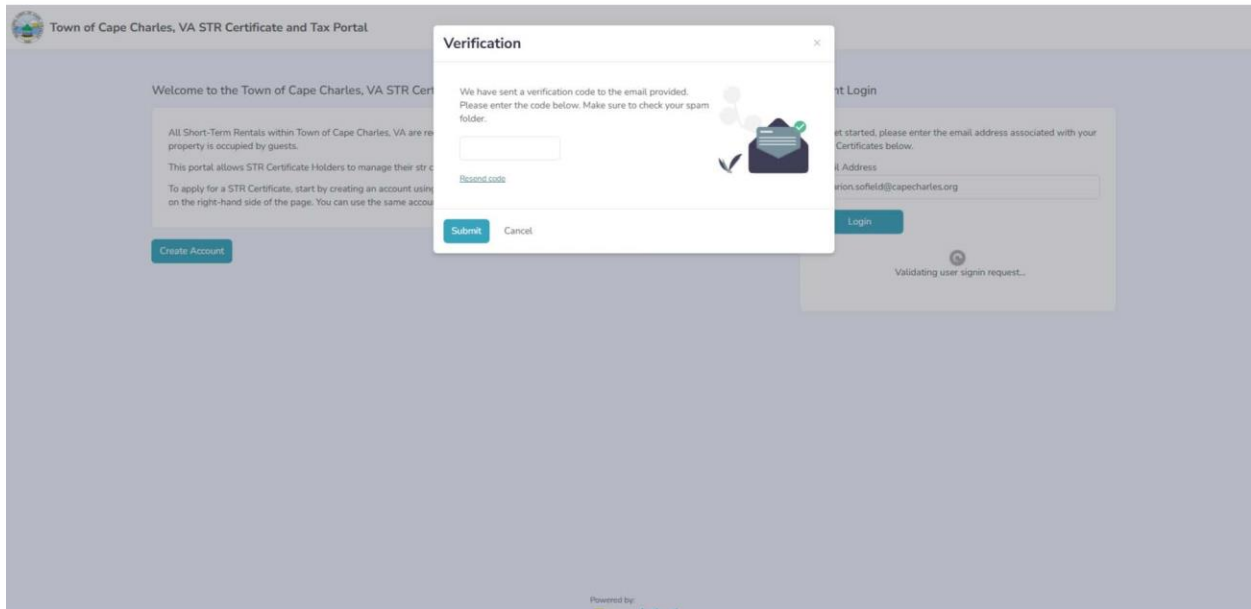
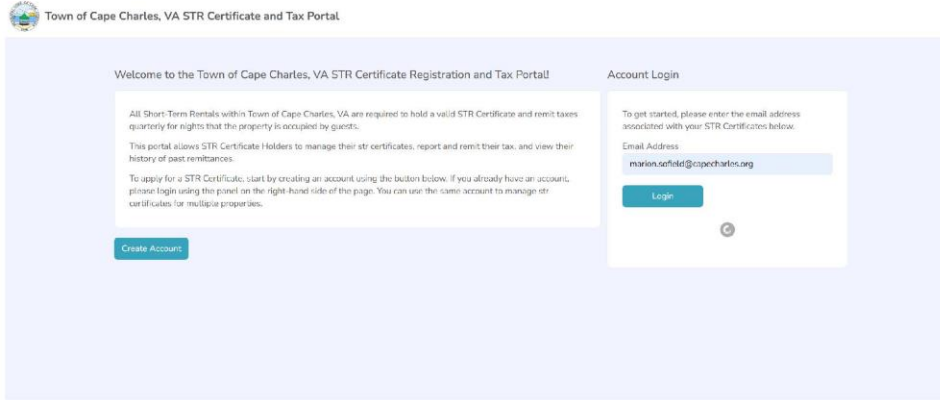
- Please ensure you have gathered the information listed below before you start your application process.** You will not be able to save your progress if you are missing any information and will have to restart the registration process again. You will also need to have a Visa or Mastercard to make payments.

Information needed to complete this application:

1. Property Owner Name, mailing address, phone number

Contact Information
Address
Planning & Zoning Department
412 Tazewell Avenue
Cape Charles, VA 23310

I. STR Renewals



2-Step Verification Code Screen

Your secret login code

SR str-registration@deckard.com
To: Casey Gutter

This is your secret login code:

euPpCk

Reply Reply All Forward
Thu 12/18/2023 12:42 PM



Actions Required

Action	Due by	
Renew STR Certificate 101 William Scott Lane	12/31/2025	Renew

Active STR Certificates (1)

101 William Scott Lane
1698 Expiration: 2025-12-31 [View](#)

[Apply for new STR Certificate](#) [Pay Tax](#) [See all STR Certificates](#)

< Back

Update Details

Please update your details below. Note that you cannot change some details.

First Name: Last Name:

Company Name (optional):

Email Address:

Phone Number:

Mailing Address:

Update Details



II. TOT's

Marion Sofield

Actions Required

Action	Due by
Renew STR Certificate 101 William Scott Lane	12/31/2025 Renew

Active STR Certificates (1)

101 William Scott Lane
1698 Expiration: 2025-12-31 [View](#)

[Apply for new STR Certificate](#) [Pay Tax](#) [See all STR Certificates](#)

Report Revenue

For the current and previous months, please report the taxable receipts

Taxable receipts are defined as the consideration paid by the occupant of any rental where the cost of occupancy is at the rate of \$2 or more per day. Taxable Receipts INCLUDE, but are not limited to, non-refundable charges such as nightly or weekly rents for a period of 30 days or less, standard cleaning fees, pet fees, internet charges, late check-out fees, extra person fees, and resort fees. Taxable receipts EXCLUDE refundable deposits and any additional items included in a special package rate, such as recreational activities.

Collection Agreement Notice

Town of Cape Charles, VA has signed collection agreements with Airbnb and Vrbo.

By default, Airbnb will remit TOT directly for all rentals facilitated through their platform. Some hosts have opted out of this process or are part of the Professional Host program, meaning that they must remit their own TOT to Town of Cape Charles, VA directly. Airbnb does not remit other taxes directly.

Vrbo will remit TOT directly for all rentals facilitated through their platform.

Please ensure that you follow the directions and report your income by platform below, splitting it into these separate groupings:

- VRBO
- Airbnb (if not part of Professional Host Program)
- All Other Platforms

Jul 2025 - Sep 2025

510 NECTARINE ST CAPE CHARLES VA 23310

Reporting Incomplete

- Select Properties
- Report Revenue
- Confirm and Sign
- Payment

CONTINUE BACK



510 NECTARINE ST CAPE CHARLES VA 23310

Reporting Incomplete

Property Occupancy

No. Days Available

No. Days Occupied

Airbnb (if not part of Professional Host Program)

Gross Revenue	\$	
Allowable Deductions	\$	
Taxable Receipts	\$	0

VRBO

Gross Revenue	\$	
Allowable Deductions	\$	
Taxable Receipts	\$	0

All Other Platforms (including Airbnb if part of the Professional Host Program)

Gross Revenue	\$	
Allowable Deductions	\$	
Taxable Receipts	\$	0

CONTINUE BACK

Jul 2025 - Sep 2025

510 NECTARINE ST CAPE CHARLES VA 23310 Reporting Complete

Property Occupancy	No. Days Available	No. Days Occupied
	90	30

Airbnb (if not part of Professional Host Program)

Gross Revenue	\$	15000
Allowable Deductions	\$	1000
Taxable Receipts	\$	14000

VRBO

Gross Revenue	\$	5000
Allowable Deductions	\$	0
Taxable Receipts	\$	5000

All Other Platforms (including Airbnb if part of the Professional Host Program)

Gross Revenue	\$	1000
Allowable Deductions	\$	0
Taxable Receipts	\$	1000

Confirm and Sign

Please confirm the following information and sign below

Tax Summary

All Periods ▾ All Licenses ▾

Jul-Sep 2025	Tax due:
510 Nectarine St Cape Charles Va 23310	\$178.93 ▾
Total due Jul-Sep 2025	\$178.93
Total Payment Due	\$178.93

Certifications

I certify under penalty of perjury that the foregoing is true and correct.

Legal Name of Authorized Signatory _____ Date: 2025-12-18

[CONTINUE](#) [BACK](#)

- Select Properties
- Report Revenue
- Confirm and Sign**
- Payment

Airbnb (if not part of Professional Host Program)	
Total Revenue including all fees	\$15,000.00
Allowable Deductions ⓘ	\$1,000.00
Taxable Receipts	\$14,000.00
AirBnB	
AirBnB Tax Due	\$0.00
Penalties	\$0.00
Interest	\$0.00
Total for Airbnb (if not part of Professional Host Program)	\$0.00
VRBO	
Total Revenue including all fees	\$5,000.00
Allowable Deductions ⓘ	\$0.00
Taxable Receipts	\$5,000.00
VRBO	
VRBO Tax Due	\$0.00
Penalties	\$0.00
Interest	\$0.00
Total for VRBO	\$0.00
All Other Platforms (including Airbnb if part of the Professional Host Program)	
Total Revenue including all fees	\$1,000.00
Allowable Deductions ⓘ	\$0.00
Taxable Receipts	\$1,000.00
TOT	
TOT Due ⓘ	\$178.93
Penalties ⓘ	\$16.00
Interest	\$2.93
Total for All Other Platforms (including Airbnb if part of the Professional Host Program)	\$178.93

Total Amount Due

\$178.93

TOT \$160.00
 Airbnb \$0.00
 VRBO \$0.00
 Penalties \$16.00
 Interest \$2.93

Payment Method

The button below will take you to our third-party payment system to make your payment.

Pay \$178.93

- Select Properties
- Report Revenue
- Confirm and Sign
- Payment**

[BACK](#)



DECKARD PAYMENT PORTAL

Town of Cape Charles Portal

*** indicates required fields

Choose Payment Type *

- Credit Card
- ACH/Bank Account/e-Check

Billing Name

First * Last *

Billing Address

Street Address *

City * State / Province *

ZIP / Postal Code * Country *

Thank you for using our secure online payment form.



III. New STR Registration



Town of Cape Charles, VA STR Certificate and Tax Portal

Email Address

Let's get started by entering your email address. We will send a code to this email address to verify that this is your real email address, so please make sure that this is a valid email address, and that you have access to this email address at all times. Please choose an email address that can be used for the duration of this license. For property managers, please use a company email address (not an employee's email address) that you will have access to for your company's duration, as email addresses cannot be updated for your account at this time.

Email Address
casey.quilter@capecharles.org



Town of Cape Charles, VA STR Certificate and Tax Portal

Personal Details

Please enter your details below to create your account. These will be used as the Str Certificate Holder information for any str certificates you apply for.

First Name: Casey
Last Name: Quilter
Company Name (optional): Q'Utopia
Phone Number: 757-635-7791
Mailing Address: 3804 Mystic Cove Court, Virginia Beach, Virginia 23455



Actions Required

No outstanding actions.

Active STR Certificates (0)

You don't have any Active STR Certificates.

Apply for new STR Certificate



Requirements

1. Please review the Short-Term Rental (STR) ordinance ([Click Here](#))

The purpose and intent of the Cape Charles Zoning Ordinances for Short-Term Rentals (STR) that were adopted by the Town Council on November 21, 2024, as well as any subsequent amendments, is to regulate STRs. The zoning ordinance is intended to provide the requirements to allow these certain limited commercial uses in town zoning districts containing uses per Article III. The regulations for STRs are designed to accommodate an STR owner's and operator's limited commercial use in a way that is safe for the guest, meets town requirements, does not change the character of the town, and fits in with the districts in which STRs operate. These regulations are intended to work in tandem with the town's business license requirements as contained in the Town Code, as a measure for the town to monitor the number of STRs and enforce regulations.

Please ensure you have gathered the information listed below before you start your application process. You will not be able to save your progress if you are missing any information and will have to restart the registration process once you have all of the information in hand. **You will also need to have a form of credit card payment available because you will be required to pay the calculated business license tax as part of this registration process.**

Information needed to complete this application:
 Property Owner- Name, mailing address, phone number, email address
 Property Manager (If applicable)- Name, mailing address, phone number, email address (Property managers must hold a separate Town BPOL)
 24/7 Local Contact- Name, mailing address, phone number, email address
 Number of Bedrooms
 Maximum Occupancy
 Gross Revenue (Estimated for the upcoming calendar year) and (Actual for the prior licensing year)

CONTINUE BACK

- Application Requirements
- Property
- Registrant
- Property Contacts
- Property Details
- Documents
- Confirmation
- Payment

Property

We need to know the Tax Map # of the property you wish to make available for STR Certificate. You can type in your Tax Map # directly below if you already know it, or you can find the Tax Map # by typing in the property address.

- I know my Tax Map #
- I want to type in the property address

Tax Map #
[Lookup Tax Map # on Northampton County Website](#)

83A1-1-160

Selected property

640 WASHINGTON AVE CAPE CHARLES VA 23310
Tax Map #: 83A1-1-1

Unit Number (optional)

CONTINUE BACK

- Application Requirements
- Property
- Registrant
- Property Contacts
- Property Details
- Documents
- Confirmation
- Payment



Registrant

Are you the owner of the rental property?

- Yes, I'm the owner
- No, I'm a property manager

CONTINUE BACK

- Application Requirements
- Property
- Registrant
- Property Contacts
- Property Details
- Documents
- Confirmation
- Payment

Property Contacts

Property Management Company

Professional property management means a licensed firm charged with operating a real estate property for a fee. Self Managed means an individual maintains the STR, such as a private property owner.

Are you using a Property Manager for this property?

- Self Managed
- Property Manager

24/7 Local Contact

A 24/7 local contact is a person available 24/7 who can be at the property within one hour.

Who is the 24/7 local contact for this property?

- Myself (the Owner)
- Someone else

24/7 Local Contact Information

First Name	Last Name
<input type="text" value="John"/>	<input type="text" value="Quilter"/>

Company Name (optional)

- Application Requirements
- Property
- Registrant
- Property Contacts
- Property Details
- Documents
- Confirmation
- Payment



Property Details

All fields must be completed before proceeding.

How many bedrooms are in a Short-Term rental property?

Bedroom Definition in the Cape Charles Zoning Ordinance:

Bedroom is a room or space within a structure intended for sleeping. Requirements include:

- A minimum size of seventy square feet (70 sf); if more than one (1) person occupies the room, there must be fifty square feet (50 sf) per occupant.
- Access to a bathroom without crossing another bedroom.
- Every bedroom must have access to natural ventilation and have a permanent heat source.
- Two (2) means of egress: one (1) that leads to the rest of the home without going through another bedroom and one (1) that leads directly to the outside. If the outside egress is a window, it must be at least five-point seven square feet (5.7 sf) and can be no more than forty-four inches (44") from the room floor, unless there is a permanent step installed. It shall be illegal to have locking bar or grates covering an egress window.
- The ceiling must be no less than seven feet (7').

What is the maximum occupancy?

(Maximum occupancy can be no greater than 10 without approval)

Is the property providing any parking spaces on the property directly?

- Yes
- No

- Application Requirements
- Property
- Registrant
- Property Contacts
- Property Details
- Documents
- Confirmation
- Payment

How many on-site parking spaces are available at the Short-Term Rental Property?

Does property have a curb cut?
 Yes
 No

Does the property have an existing driveway?
 Yes
 No

Does property abut alley?
 Yes
 No

Is there parking in the rear of property?
 Yes
 No

How many trash cans are available at the Short-Term Rental Property?
The # of trash cans, per our STR Zoning Ordinance, is based upon the # of bedrooms that we certify.
• One bedroom: One Trash Can

Is there parking in the rear of property?
 Yes
 No

How many trash cans are available at the Short-Term Rental Property?
The # of trash cans, per our STR Zoning Ordinance, is based upon the # of bedrooms that we certify.
• One bedroom: One Trash Can
• Two bedrooms: One Trash Can
• Three Bedrooms: Two Trash Cans
• Four Bedrooms: Two Trash Cans
• Five or More Bedrooms: Three Trash Cans

Gross Receipts Estimate
Since you are a new business, we require an estimate to calculate your business license fees. Please provide your estimated gross receipts for the calendar year.
When reporting gross receipts, use numbers only. Do not include symbols (\$ signs or commas). **There is a [non-refundable] business license tax due in the amount of \$30, regardless of the estimate of annual gross receipts**

[CONTINUE](#) [BACK](#)



Document Upload

Your application requires the below documents to be uploaded.

Supported formats: .jpg, .jpeg, .png, .pdf, .heic; Minimum file size: 15 KB; Maximum file size: 4 MB; Maximum number of files per document type: 20.

An attestation of the owner's permission for the use of the property as a short-term rental.

For operators that are a lessee or sublessee, an attestation that the property owner has granted permission for use of such property as a short-term rental.

Select files...

Proof of authorization to operate the short-term rental by the homeowners or condominium association

If the property is governed by a homeowners or condominium association, proof that authorization to operate the short-term rental was provided by the homeowners or condominium association.

Select files...

Miscellaneous

Anything requested by the Town of Cape Charles

Select files...

- Application Requirements
- Property
- Registrant
- Property Contacts
- Property Details
- Documents
- Confirmation
- Payment



The screenshot shows a web browser window displaying the 'Document Upload' page. A file explorer window is open over the page, showing a list of files in the 'Planning & BDC FORMS' folder. The file explorer lists various files such as 'amusement_inspection_permit 11-2025', 'application_for_barrier_inspection 11-2025', 'authorization_for_civil_eng_payment_for_permit_fees_2025', etc. The browser window shows the same 'Document Upload' page with the navigation menu on the right. The page content is partially obscured by the file explorer window.



Confirmation

Please confirm the information below to proceed to the payment step.

Property Address
640 WASHINGTON AVE CAPE CHARLES VA 23310
Tax Map #
83A1-1-160

STR Certificate Holder
Same as property manager.

Property Manager
Same as owner #1.

Owners

Owner #1

First Name
Casey
Last Name
Quilter
Company Name
Q-utopia
Phone Number
7576357791
Email
casey.quilter@capecharles.org

24/7 Local Contact

24/7 Local Contact

First Name
John
Last Name
Quilter
Company Name
Paid Person
Phone Number
8047460622
Email
johnq@gmail.com

- Application Requirements
- Property
- Registrant
- Property Contacts
- Property Details
- Documents
- Confirmation
- Payment



Verification Documents

An attestation of the owner's permission for the use of the property as a short-term rental.
business_license_contractor_only 11-2025.pdf
Proof of authorization to operate the short-term rental by the homeowners or condominium association
commercial_building_permit 11-2025-1.pdf
Miscellaneous
amusement_inspections_permit 11-2025.pdf

Supplemental Questions

Certifications

- I hereby certify that I have the authority to make the foregoing application for a Short Term Rental, that the information given is true and correct, and that the use of the property as a Short Term Rental will conform to the laws, codes and ordinances of the Town of Cape Charles for the operation of a Short Term Rental business as well as the Virginia Statewide Building Code.
- I certify that the Town's prepared STR training information has been reviewed annually.
- I certify that adjacent property owners have been notified that an application for a STR zoning permit has been submitted.
- I certify under penalty of perjury that this information is accurate and I am an authorized representative or owner of this business. I acknowledge that my signature is legally binding.

Electronic Signature

Legal Name of Authorized Signatory Date

business_license_contractor_only 11-2025.pdf
Proof of authorization to operate the short-term rental by the homeowners or condominium association
commercial_building_permit 11-2025-1.pdf
Miscellaneous
amusement_inspections_permit 11-2025.pdf

Supplemental Questions

Certifications

- I hereby certify that I have the authority to make the foregoing application for a Short Term Rental, that the information given is true and correct, and that the use of the property as a Short Term Rental will conform to the laws, codes and ordinances of the Town of Cape Charles for the operation of a Short Term Rental business as well as the Virginia Statewide Building Code.
- I certify that the Town's prepared STR training information has been reviewed annually.
- I certify that adjacent property owners have been notified that an application for a STR zoning permit has been submitted.
- I certify under penalty of perjury that this information is accurate and I am an authorized representative or owner of this business. I acknowledge that my signature is legally binding.

Electronic Signature

Legal Name of Authorized Signatory Date

[CONTINUE](#) [BACK](#)

Payment

<p>Total Amount Due</p> <p>\$4.00</p> <p>Base Fee \$450.00</p> <p>Revenue Portion Fee \$54.00</p>	<p>Payment Method</p> <p>The button below will take you to our third-party payment system to make your payment.</p> <p style="text-align: center;">Pay \$4.00</p>
--	---

[BACK](#)

- Application Requirements
- Property
- Registrant
- Property Contacts
- Property Details
- Documents
- Confirmation
- Payment**



DECKARD PAYMENT PORTAL

Town of Cape Charles Portal

*** indicates required fields

Choose Payment Type *

- Credit Card
- ACH/Bank Account/e-Check

Billing Name

First * Last *

Billing Address

Street Address *

City * State / Province *

ZIP / Postal Code * Country *

Thank you for using our secure online payment form.





Town of Cape Charles Portal

*** indicates required fields

Choose Payment Type *

- Credit Card
- ACH/Bank Account/e-Check

Amount Due	Credit Card Processing Fee	Total
\$4.00	\$0.42	\$4.42

Billing Name

First *	Last *
<input type="text" value="Casey"/>	<input type="text" value="Quilter"/>

Billing Address

Street Address *	
<input type="text" value="3804 Mystic Cove Court"/>	
City *	State / Province *
<input type="text" value="Virginia Beach"/>	<input type="text" value="Virginia"/>
ZIP / Postal Code *	Country *
<input type="text" value="23455"/>	<input type="text" value="United States"/>

Thank you! Your STR Certificate Application has been submitted successfully! We have emailed you details of the application. Your application will be reviewed and processed by Town of Cape Charles, VA STR. We will contact you via email on the status of your application.

Close Window

Town of Cape Charles, VA STR Certificate Application # A-000020

support@cape-charles@deckard.com
To: Casey Quilter

Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.



Town of Cape Charles, VA
STR Certificate

Thank you for your efforts to register your property as a STR Certificate. Here is a summary of your STR Certificate application for your records:

STR Certificate Details

Application Number:

A-000020

Application Date:

2025-12-18

Payment

Total Fees: \$4.42

STR Certificate Fee Amount: \$4.00

Payment Method: Card

Payment Processor Fees: \$0.42

Payment Confirmation Code: 11491734015

Payment Status: Complete

Breakdown Fees

Base Fee: \$450.0

Revenue Portion Fee: \$54.0

Property Details

Property Address: 512 JEFFERSON AVE CAPE CHARLES VA 23310

Tax Map #: 83A1-1-160

STR Certificate Holder Details

STR Certificate Holder Type: Owner

STR Certificate Holder Name: Casey Quilter

STR Certificate Holder Phone Number: 7576357791

STR Certificate Holder Email Address: casey.quilter@capecharles.org

STR Certificate Holder Mailing Address: 3804 Mystic Cove Court, Virginia Beach, Virginia 23455

Property Manager Details

Property Manager Name: Casey Quilter

Property Manager Company Name: Q-utopia

Property Manager Phone Number: 7576357791

Property Manager Email Address: casey.quilter@capecharles.org

Property Manager Mailing Address: 3804 Mystic Cove Court, Virginia Beach, Virginia 23455

24/7 Local Contact Details

24/7 Local Contact Name: John Quilter

24/7 Local Contact Company Name: Paid Person

24/7 Local Contact Email Address: jhnq@gmail.com

24/7 Local Contact Phone Number: 8047460622

24/7 Local Contact Mailing Address: 345 Hollye Way Saluda VA 23149

For more information please contact us by email at str@capecharles.org, by phone at (757) 331-3259 ext. 42 or find out more at our website here.

[Login to Customer Portal](#)

You are receiving this email because you have been listed as a Registrant, Owner, or Property Manager. For more details [login to the Customer Portal](#).



Cape Charles Municipal Corp Transaction Receipt

outgoing@safewebseervices.com
To: Casey Quilter

Reply Reply All Forward

If there are problems with how this message is displayed, click here to view it in a web browser.

Cape Charles Municipal Corp



Your Card Sale is complete! Below is your receipt with all relevant transaction information.

Transaction Receipt



Dec 18, 2025
1:35:35 PM EST
\$4.42

Type	Card Sale
Transaction ID	11491734015
Auth Code	073481
Description	Town of Cape Charles Payment
Order ID	25

Billing Details
Casey Quilter
va-northampton-town_of_cape_charles
3804 Mystic Cove Court
Virginia Beach, Virginia 23455
US
casey.quilter@capecharles.org

Shipping Details



Payment

A new browser window has been opened which will allow you to complete payment through an external payment provider. Please continue with your payment in this new browser window. Once your payment is completed please return to this browser window.

[Return to Dashboard](#) [Back](#)

- Application Requirements
- Property
- Registrant
- Property Contacts
- Property Details
- Documents
- Confirmation
- Payment



Actions Required

No outstanding actions.

Active STR Certificates (1)

512 Jefferson Ave Cape Charles Va 23310
A-000020 Submitted [View](#)

[Apply for new STR Certificate](#) [Pay Tax](#) [See all STR Certificates](#)

FW: Town of Cape Charles, VA STR Certificate # STR-25-00001

Marion Sofield
To: Casey Quilter
Cc: Katie Nunez

Reply Reply All Forward Thu 12/18/2023 2:45 PM

STR-25-00001.pdf
103 KB

CONFIDENTIAL: This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

From: support@cape-charles@deckard.com <support@cape-charles@deckard.com>
Sent: Thursday, December 18, 2023 2:43 PM
To: Marion Sofield <marion.sofield@capecharles.org>
Subject: Town of Cape Charles, VA STR Certificate # STR-25-00001



Town of Cape Charles, VA
STR Certificate
Congratulations on successfully registering your rental property, your STR Certificate has been approved. Your actions today allow short-term rentals to be an attractive choice for Town of Cape Charles, VA visitors, while maintaining the resident al character of our neighborhoods. We appreciate your efforts to register your listing.
Your STR Certificate Number
STR-25-00001
Please note that it is your responsibility to renew your STR Certificate prior to the expiration date, to keep all contact information up to date, and to comply with all ordinances related to short-term rentals and other applicable health and safety standards in this jurisdiction.
STR Certificate Details
STR Certificate Number: STR-25-00001
STR Certificate Holder Name: Matthew Silvey
Property Address: 510 NECTARINE ST CAPE CHARLES VA 23310
Issue Date: 2025-12-18
Expiration Date: 2026-12-31
For more information please contact us by email at str@capecharles.org, by phone at (757) 331-3259 ext. 42 or find out more at our website [here](https://www.capecharles.org).
[Login to Customer Portal](#)
You are receiving this email because you have been listed as a Registrant, Owner, or Property Manager. For more details [login to the Customer Portal](#).





SHORT TERM RENTAL CERTIFICATE

STR Certificate Number STR-25-00001	24/7 Local Contact Matthew Silvey 1234567890
STR Certificate Holder Name Matthew Silvey	Maximum Occupancy 10
Property Address 510 NECTARINE ST CAPE CHARLES VA 23310	Parking Spaces 12
Issue Date 2025-12-18	# of Trash Cans 56
Expiration Date 2026-12-31	



Please post where easily viewed
STR Certificate is not transferable.

DRAFT



DRAFT
Town Council Special Meeting
January 8, 2026 – 6:00 PM
Cape Charles Civic Center, 500 Tazewell Avenue

CALL TO ORDER

Mayor Charney called the Town Council Special Meeting to order at 6:00 p.m.

ROLL CALL

Council Members present: Mayor Charney, Vice Mayor Buchholz, Councilmen Butta, Grossman and Newman, and Councilwomen Ashworth and Holloway

Others in attendance: Town Manager Rick Keuroglian, Project Manager Bob Panek, Assistant to the Town Manager Pam Endlein, Town Clerk Libby Hume

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Council observed a moment of silence followed by the Pledge of Allegiance.

PUBLIC COMMENTS

Sam Jones, 538 Monroe Avenue, spoke in support of locating downtown public restrooms at the Strawberry Street location, noting the flexibility of a leased facility and its consistency with future harbor planning efforts.

ORDER OF BUSINESS

A. *Downtown Public Restrooms*

Project Manager Bob Panek presented staff’s recommendation to lease space at 7 Strawberry Street for downtown public restrooms. He reviewed the history of prior restroom planning efforts, including the separation of restroom facilities from the Visitor Center project. He outlined lease terms including a base rent of \$1,500 per month, estimated build-out costs of approximately \$250,000 amortized over ten years, and a 3% annual escalation. The proposed facility would include four ADA-compliant restrooms and a small lounge area.

Council discussed construction costs, utilities, access hours, timing of completion, and potential funding from the Northampton County Infrastructure Grant. Staff advised that if build-out costs were reduced, the amortized lease cost would be adjusted accordingly.

Motion made by Councilman Grossman, seconded by Councilwoman Ashworth, to authorize the Town Manager to finalize and execute a lease agreement for 7 Strawberry Street, with a ten-year amortization for construction costs capped at \$300,000, and to allocate approximately \$5,100 from the ADA parking project for FY 2026 expenses. Motion was approved by unanimous vote.

B. *Update on Temporary Downtown Restrooms*

Town Manager Rick Keuroglian provided an update on the portable restroom trailer purchase. He reported that the unit was nearing completion, with anticipated delivery in late January following inspection.

Council discussed concerns regarding sewer connection capabilities and the need for confirmation that the unit included both direct sewer and holding tank options.

Motion made by Councilwoman Holloway, seconded by Councilman Newman, to proceed with the portable restroom trailer contingent upon confirmation that the unit included both sewer connection and holding tank capabilities. Motion was approved by unanimous vote.

TOWN MANAGER COMMENTS

- i) Town Manager Rick Keuroglan provided expanded comments regarding internal operations and long-range planning. He described a collaborative effort to develop a set of core organizational values over the past month. The resulting acronym, CAPE: Community Engagement, Accountability, Professionalism, and Excellence, was selected by a strong majority of staff. He noted that the term reflected both the Town’s coastal identity and staff’s role as stewards of the community. He advised Council that staff intended to formally present the values at the January regular meeting and might request Council consideration of a resolution recognizing them.
- ii) He updated Council on efforts to review and refine Town policies related to special events, vendor licensing, and what constituted a Town-supported event. He explained that staff was working to establish clear, objective standards to ensure consistency, transparency, and fairness when evaluating event requests, including those involving road closures and use of Town resources.
- iii) He discussed recent staff and Cape Charles Main Street debriefings of Festive Fridays, noting that the review included identification of successes, challenges, and potential improvements for future seasons. He indicated that a more comprehensive summary of community events would be provided to Council following upcoming meetings.

MAYOR & COUNCIL COMMENTS

Mayor Charney and Councilmembers engaged in an extended discussion regarding the ongoing community survey. Staff reported that approximately 220 online responses had been received, along with additional paper surveys, though Council expressed concern that overall participation remained lower than desired.

Council discussed strategies to increase participation, including extending the survey deadline to January 16, 2026; encouraging individual outreach by Councilmembers; and coordinating with community organizations such as the Historic District Civic League, Cape Charles Main Street, homeowners’ associations, Bay Creek, and other local groups to share the survey link.

Council also discussed future use of survey results, including the potential scheduling of a strategic planning session or retreat, tentatively anticipated for February 2026. The Council members expressed a preference for holding the session separately from a meeting night to allow for focused discussion and broader participation.

Councilwoman Holloway announced a big Christmas sale at Bay Haven Inn on Saturday.

ANNOUNCEMENTS

- January 15, 2026 – Town Council Public Hearing & Regular Meeting
- January 19, 2026 – Town offices closed for Martin Luther King, Jr. Day

Vice Mayor Buchholz added that the Rosenwald School’s Grand Opening would be on January 19th.

ADJOURNMENT

Motion by Councilwoman Ashworth, seconded by Councilwoman Holloway, to adjourn the Town Council Special Meeting. Motion was approved by unanimous vote.

The meeting adjourned at 6:33 p.m.

Adam Charney, Mayor

Libby Hume, Town Clerk

**MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
November 30, 2025**

Cash on Hand	10/31/2025	11/30/2025	Increase/ (Decrease)
Atlantic Union Bank Checking Account	\$78,651	\$51,955	-\$26,696
Atlantic Union Bank Money Market Account	\$15,139	\$15,170	\$32
LGIP Account 1 - 0565 - Unrestricted	\$122,118	\$122,527	\$409
LGIP Account 2 - 0195 - Unrestricted	\$388,152	\$389,452	\$1,299
Virginia Investment Pool Liquidity Unassigned - 5003	\$16,875,893	\$16,932,775	\$56,881
Virginia Investment Pool 1-3 Year Unassigned 0001	\$1,126,129	\$1,131,417	\$5,288
Taylor Bank Operating Cash Account	\$280,316	\$629,665	\$349,349
Taylor Bank Sweep Account	\$1,010,017	\$1,011,553	\$1,536
Total Cash On Hand	\$19,896,416	\$20,284,513	\$388,098

Restricted and Reserved Cash Balances	10/31/2025	11/30/2025	Increase/ (Decrease)
Atlantic Union Bank Checking Account - Police Funds	\$431	\$431	\$0
LGIP Account 2 - Restricted for USDA loan covenant	\$30,120	\$30,120	\$0
Virginia Investment Pool Liquidity Acct#1 Facility Fees Rsrvd (Utilities)	\$0	\$0	\$0
Total Cash Held in Reserve	\$30,551	\$30,551	\$0
Total Cash - All Accounts	\$19,926,966	\$20,315,064	\$388,098

MUNICIPAL CORPORATION OF CAPE CHARLES
 TREASURER'S REPORT
 November 30, 2025

REVENUE VS. EXPENDITURES

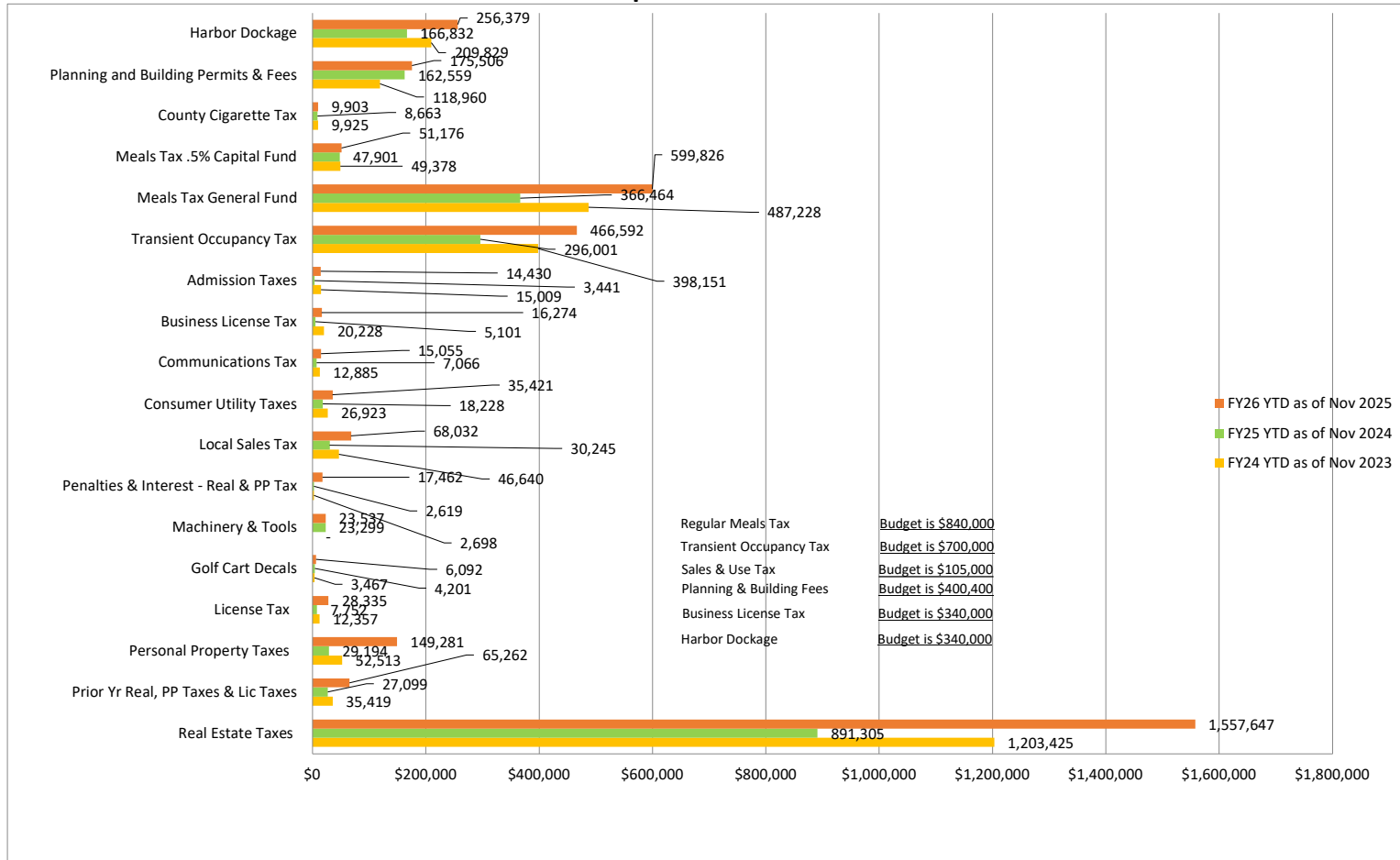
FUND	CURRENT MONTH	CURRENT YEAR-TO-DATE	ANNUAL BUDGET	% REALIZED/ EXPENDED FY25
GENERAL Fund				
REVENUE	\$0	\$3,873,891	\$5,870,099	65.99%
EXPENDITURES	\$0	\$2,795,882	\$5,870,099	47.63%
NET	\$0	\$1,078,009	\$0	
GENERAL Capital Fund				
REVENUE	\$0	\$1,551,176	\$6,837,456	22.69%
EXPENDITURES	\$0	\$2,492,502	\$6,837,456	36.45%
NET	\$0	(\$941,326)	\$0	
GENERAL Debt Service Fund				
REVENUE	\$0	\$1,595,121	\$1,655,121	96.37%
EXPENDITURES	\$0	\$1,510,886	\$1,655,121	91.29%
NET	\$0	\$84,235	\$0	
GENERAL Special Activities Fund				
REVENUE	\$0	\$0	\$0	0.00%
EXPENDITURES	\$0	\$0	\$0	0.00%
NET	\$0	\$0	\$0	
PUBLIC UTILITIES Fund				
REVENUE	\$0	\$82,575	\$80,000	103.22%
EXPENDITURES	\$0	\$80,042	\$80,000	100.05%
NET	\$0	\$2,534	\$0	
HARBOR Fund				
REVENUE	\$0	\$935,423	\$1,000,631	93.48%
EXPENDITURES	\$0	\$476,925	\$1,000,631	47.66%
NET	\$0	\$458,497	\$0	
SANITATION Fund				
REVENUE	\$0	\$191,891	\$361,177	53.13%
EXPENDITURES	\$0	\$158,910	\$361,177	44.00%
NET	\$0	\$32,981	\$0	

FY 26 Capital Improvement Project Tracking Report

As of:
11/30/2025

	<u>% of Current Year Budget</u>	<u>FY26 Budgeted</u>	<u>QTR 1 Expended</u>	<u>QTR 2 Expended</u>	<u>QTR 3 Expended</u>	<u>QTR 4 Expended</u>	<u>FY26 YTD Expended</u>	<u>(Over)/Under Budget</u>
General Capital Fund								
Municipal Space Replacement	1%	\$3,087,981.00	\$ 2,004	\$ 13,417	\$ -	\$ -	25,757	\$ 3,062,224
ADA Parking	14%	\$60,000.00	\$ 5,667	\$ 2,469	\$ -	\$ -	8,344	\$ 51,656
Library Repair & Renovation	2%	\$ 310,000	\$ 610	\$ -	\$ -	\$ -	5,979	\$ 304,021
Beachfront Revitalization	0%	\$ 45,000	\$ -	\$ -	\$ -	\$ -	-	\$ 45,000
Beach Restroom/Bathhouse	0%	\$ 45,000	\$ -	\$ -	\$ -	\$ -	-	\$ 45,000
Sidewalk Infill	0%	\$ 100,000	\$ -	\$ -	\$ -	\$ -	-	\$ 100,000
Mason Ave. Electrical	0%	\$ 164,000	\$ -	\$ -	\$ -	\$ -	-	\$ 164,000
Keck Wells Water Line Return	19%	\$ 565,000	\$ -	\$ 105,000	\$ -	\$ -	105,000	\$ 460,000
Subtotal		\$ 4,376,981.00	\$ 8,281	\$ 120,886	\$ -	\$ -	40,080	\$ 3,771,901
Harbor Fund								
Fuel Tank Improvements	0%	\$ 42,000	\$ -	\$ -	\$ -	\$ -	-	\$ 42,000
Fixed Dock Rehab	0%	\$ 25,000	\$ -	\$ -	\$ -	\$ -	-	\$ 25,000
Replace Boardwalk With Synthetic Decking	10%	\$ 129,000	\$ 11,785	\$ 1,650	\$ -	\$ -	13,435	\$ 115,565
Subtotal		\$ 196,000	\$ 11,785	\$ 1,650	\$ -	\$ -	13,435	\$ 182,565
TOTAL		\$ 4,572,981	\$ 20,066	\$ 122,536	\$ -	\$ -	53,515	\$ 3,954,466


Specific Sources of Revenue as of 11/30/2025



FY 26 Real Time Project Tracking Report

As of:
1/9/2026

	% of Budget	FY26 Budgeted	FY26 YTD Expended	(Over)/Under Budget
Restroom Trailer	49%	\$ 70,000	\$ 34,582.50	\$ 35,417.50
Interim Town Hall Costs				
Moving Costs				
Repairs & Improvments			\$ 35,312.97	
Information Technology & Computer Hardware			\$ 39,492.59	
Furnishings			\$ 39,767.98	
Contingency			\$ 7,689.93	
Subtotal	122%	\$ 100,000	\$ 122,263.47	\$ (22,263.47)
Lease		\$ 62,019	\$ -	
Total	75%	\$ 162,019	\$ 122,263.47	\$ 39,755.53

 TOWN OF CAPE CHARLES	Amendment to purchase a Tanked Temporary Trailer		DATE January 15, 2025
	SUBJECT/PROPOSAL/REQUEST:		ITEM NUMBER: 8A
	ATTACHMENTS: Model Comparison		FOR COUNCIL: Decision
	STAFF CONTACT (s): Rick Keuroglan, Town Manager	REVIEWED BY: Rick Keuroglan, Town Manager	

Background history:

Following last Thursday night’s Council meeting, the Town Manager contacted the sales representative of Portable Restroom Trailers, LLC, to clarify whether the restroom trailer currently being built would allow both a direct sewer connection and a holding tank. He confirmed that the unit is designed for **direct sewer connection only**. His units are manufactured for either direct connection *or* holding tank use, but not both.

The vendor confirmed that they can replace it with a **holding-tank unit**. Two such units are currently available for immediate shipment.

I spoke with Public Works Director Ralph Bowen regarding operational preference. Ralph indicated that a **holding-tank unit** would be more beneficial, as it allows the trailer to be relocated for events and seasonal use. At present, there is only one location in Town with a direct sewer connection, which is where the Silver Bullet trailer is currently located.

I provided information on two holding-tank options from the vendor’s existing inventory:

- **Option 1:** Very similar to the originally selected unit, but approximately two feet shorter.
<https://www.portablerestroomtrailers.com/ada-restroom-trailer-2-station-oahu-series-hc-17-4-season.html>
- **Option 2:** Includes additional upgrades, such as a baby changing station and a built-in stereo system.
<https://www.portablerestroomtrailers.com/ada-restroom-trailer-2-station-oahu-plus-series-hc-17-4-season-package.html>

Both units include a four-season package for year-round use and are discounted to **\$67,512**. A spreadsheet is attached comparing the originally selected unit with these two alternatives.

Ralph also confirmed that tank servicing can be handled on an as-needed basis without a long-term contract. Pump-out options include VAW, KOA, or the campground.

The vendor has confirmed that once Council has officially approved the unit, they will send the Town Manager a new Bill of Sale, which will indicate the credit of \$34,582 and with the final payment of roughly \$35,000.

Staff Recommendation:

Staff recommends to approve the purchase of the ADA+2 Oahu Plus Series CHA101525 tanked trailer.

ADA (+2 Singles) ADA (+2 Singles) ADA (+2 Singles)

Price	\$65,725	\$67,512	\$67,512
Company	Portable Restroom Trailers LLC	Portable Restroom Trailers LLC	Portable Restroom Trailers LLC
Model	Oahu Series CHA030422	Oahu Series CHA117572	Oahu Plus Series CHA101525
ADA?	ADA + 2	ADA + 2	ADA+2
Unisex?	3 Unisex toilets	3 Unisex toilets	3 Unisex toilets
Urinals?	2	No	No
City Sewer?	Yes	No	No
Freshwater tank (gal)	225	105	145
Waste Tank (gal)	No	300	300
Water Heater	Yes	Yes	Yes
Trailer size	20' x 6'-5"	17' x 6'-3"	17' x 6'-3"
AC Unit	Yes	Yes	Yes
4 Season	Yes	Yes	Yes
Baby Changer	No	No	Yes (in ADA)
Entertainment package	No	No	Yes
Backlit Mirror	No	No	Yes
Porch Lighting	Yes	Yes	Yes
Hydraulic lift System	Yes	Yes	Yes
Shipping	\$3,000	\$1,500	\$1,500
Notes:	Currently being constructed	Discounted from \$73,980	Discounted from \$72,980
Availability	Available at the end of January	Available Now	Available Now



BILL TO
Rick Keuroglain
Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310

SHIP TO
Rick Keuroglain
Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310

INVOICE 9429

DATE 01/12/2026 **TERMS** Due on receipt

DUE DATE 01/12/2026

SALESPERSON
Scott Comerford

PO:
REVISED 1/12/26 Inv #9429

DATE	DESCRIPTION	QTY	RATE	AMOUNT
1/12/26	NEW PURCHASE - New ADA + 2 Station Oahu Plus Series 17' Portable Restroom Trailers with 4 Season package, VIN: 4C9TN1721SA081110, is being transferred upon payment in full from Portable Restroom Trailers LLC to Town of Cape Charles.	1	67,512.00	67,512.00
	Freight for VIN: 4C9TN1721SA081110 - 50% freight credit applied	1	1,720.00	1,720.00
	VOID - CANCELLED 1/12/26 New ADA+2 Station Oahu Series Portable Restroom Trailer, VIN: 4C9TN2029SA081128 - CANCELLED	1	0.00	0.00

REVISED INVOICE 1/12/26 - Due upon receipt to initiate rental logistics	SUBTOTAL	69,232.00
Wiring/ACH info to be provided upon request	TAX	0.00
	TOTAL	69,232.00
Please see the remittance address below for sending checks.	PAYMENT	34,582.50

Pay invoice

TOTAL DUE \$34,649.50

PORTABLE RESTROOM TRAILERS, LLC
Mobile Restroom Trailers
1-877-600-8645
info@portablerestroomtrailers.com

Account Owner: Scott Comerford

Whatever Your Event, We Have the Right Solution!

Phone: 1-877-600-8645 Email: info@portablerestroomtrailers.com www.portablerestroomtrailers.com

BILL OF SALE: NEW ADA RESTROOM TRAILER +2 STATION – OAHU PLUS SERIES – 17’ – 4 SEASON PACKAGE **DATE: January 12, 2026**

Buyer: Town of Cape Charles	Price: \$67,512 (freight not included)
Contact/Phone: Rick Keuroglan – 757-331-2979	Freight Quote: \$1,720 (50% freight credit applied)
Contact Email: townmanager@capecharles.org	Fed Tax ID# [REDACTED]
VIN: 4C9TN1728SA081055	Delivery Address: SAME
Unit # CHA030422	Delivery Contact: SAME
Mailing Address: 2 Plum Street Cape Charles, VA 23310	

The New ADA Restroom Trailer +2 Station – Oahu Plus Series – 17’– 4 Season Package, VIN: 4C9TN1728SA081055, is being transferred upon payment in full from Portable Restroom Trailers LLC to Town of Cape Charles.

The verified signed Bill of Sale is a letter of intent and requires balance due prior to shipment to complete a sale.

Please indicate form of payment:

- **Wire/ACH** [REDACTED]
- **Check** [REDACTED] (Copy of check must be provided within 48 hours. Complimentary shipping label will be provided)
- **Credit Card** [REDACTED] (Front & back copies of Driver’s License & credit card required) *A 3% processing fee will be applied
- **Financing** [REDACTED] (Name of Approved Lender/Address): _____

Date payment will be made by: [REDACTED] ***This Bill of Sale expires (without deposit or purchase order) after 48 hours.** **Initial:** [REDACTED]

Please note that drivers do not set up the trailer. If this is requested/required, this option can be added for an additional fee. Additional time for delivery scheduling will be needed. Initial: [REDACTED]

The sale is subject to the following conditions and representations:


Final payment required within 5 days of completion prior to the removal from the Seller’s property. The Seller warrants to Buyer that the unit is new and in good condition. Order will be placed within 48 hours following signed custom build confirmation. Date of delivery and timeline will be confirmed upon order. This supersedes any Purchase Order dates. Seller reserves the right to showcase the Buyer’s solution in their marketing materials (including, but not limited to the Company website). The Parties hereto specifically consent to the jurisdiction of the courts of the state of South Carolina in connection with any formal litigation or other claims brought to by either Party hereto against the other arising under this Agreement. Manufacturer’s Statement of Origin will be provided by mail (2-6 weeks from delivery), to present to local jurisdiction to obtain title and plates. The Buyer is responsible for ALL State and Local Jurisdiction Taxes. The Federal Tax ID is correct, and the Buyer Name listed will be used on the MSO (Manufacturer’s Statement of Origin) to register the unit.

Initial Here: [REDACTED]

Purchaser Signature: _____ Printed: _____ Date: _____

Seller: Teri Pahon, Portable Restroom Trailers LLC Printed: Teri Pahon Date: 1-12-2026

Corporate Address: 4607 Charlotte Hwy, Suite #11 Lake Wylie, SC 29710
Remittance Address: 6414 W. Wilkinson Blvd. Suite #141, Belmont, NC 28012

	Agenda Title:	Agenda Date:
	Railyard and Harbor Master Planning Process	January 15, 2026
	Subject/Proposal/Request:	
	Review of Updated Possible Comparable Communities from Rural Resilience Advisors for Town Council Selection of 3	
Town of Cape Charles	Attachments:	For Council:
	1) RRA Comparables December 2025 2) RRA Comparables Updated January 2026	Action: X Information:
	Staff Contact(s):	Reviewed by:
	Katie Nunez, Director of Planning & Zoning Administrator	Rick Keuroglan, Town Manager

Background: At the December 4, 2025 Town Council Special Meeting, we kicked off the Railyard and Harbor Master Planning Process. As part of that discussion with our consultant (The Berkley Group) and their subconsultant (Rural Resilience Advisors), we were presented with a range of communities that you were asked to select a total of 3 communities to be used as comparables within this planning process.

The initial list of comparable communities (original document from Rural Resilience Advisors is attached) was:

SUGGESTED COMPARABLE COMUNITIES	CAPE CHARLES TOWN COUNCIL SELECTION
1. St. Michaels, MD	YES
2. Rockport, MA	YES
3. Beaufort, NC	YES
4. Lewes, DE	NO
5. Boothbay Harbor, ME	NO
6. St. Marys, GA	NO
7. Southport, NC	YES
8. Port Royal. SC	NO
9. Crisfield, MD	NO
10. Wickford (North Kingstown, RI)	NO
11. Old Saybrook, CT	NO
12. Exmore, VA	NO

13. Georgetown, SC	NO
14. Onancock, VA (discussed at 12/4/2025 Town Council Meeting but removed from consideration)	NO
15. Bald Head Island, SC (added for exploration by Town Council on 12/4/2025)	
16. Edenton, NC (added for exploration by Town Council on 12/4/2025)	

Since two communities were added to the list for possible consideration, Rural Resilience Advisors indicated that they would consider these two communities and provide the initial analysis as to how they stack up to Cape Charles and whether they might be a good comparable as part of this planning process.

Item Specifics: Attached is the updated comparable consideration analysis concerning the two new communities that Town Council added to the list at the December 4, 2025 meeting and Rural Resilience Advisors have included them with the other 4 communities that Town Council retained on the list for consideration and provided a full ranking based upon the key factors for consideration (see attached document).

Recommendation: Town Council is requested to review the updated information from Rural Resilience Advisors and select the three communities that will be used as comparables within the Railyard and Harbor Master Planning Process.

Cape Charles, Virginia – Working Harbor & Coastal Economic Development Brief

This paper is intended to stimulate the thinking of the Town Council about which three (3) localities it wants to be evaluated as peer comparables. The Rural Resilience Advisors team has researched localities on both the east and west coasts of the US. Ultimately RRA recommends that the Town Council select from the list of thirteen (13) in this report.

Before the upcoming Council work session, we ask that Council members take time to do their own research on these localities. At the Council meeting, RRA will facilitate input from Council members to understand their priorities for selecting three localities. If there are other localities that Council members would like to consider that are not in this list, it would be helpful for the member to come prepared with information on the locality that is similar to the evaluation criteria used in this report

Executive Summary

Cape Charles is a historic bayside town of roughly 1,250–1,300 residents on Virginia’s Eastern Shore. It combines a walkable main street, a public beach, and a true mixed-use working harbor that hosts commercial watermen, industrial vessels, and recreational boaters. The town’s economy is built around tourism, accommodations and food service, retail, health care and social services, and transportation-related activity, with the harbor and marinas serving as critical economic and identity anchors. Compared with a curated peer set of small coastal towns and working harbors from Maine to Georgia, Cape Charles scores highly on overall comparability with places such as St. Michaels (MD), Rockport (MA), Beaufort (NC), Lewes (DE), and Boothbay Harbor (ME). These communities offer useful benchmarks for harbor management, tourism strategy, resilience planning, and historic district preservation.

Working Harbor Profile Definition & Purpose

A **working harbor** is a waterfront area whose primary function is to support **commercial, industrial, logistical, and water-dependent economic activities**. Unlike recreational marinas or scenic waterfronts, a working harbor is defined by **active maritime operations**, movement of goods and vessels, and infrastructure that enables commerce. Its identity is shaped by the industries it serves, the vessels it hosts, and the economic value it generates for the surrounding community and region.

Working harbors typically include **commercial docks, shipyards, cargo facilities, fuel terminals, fishing piers, and industrial waterfronts** that rely on direct access to navigable water. They serve as operational hubs where marine transportation, seafood industries, shipbuilding, maintenance services, and water-dependent industries converge.

Top Comparable Locations to Cape Charles (qualitative summary)

Location	Similarities to Cape Charles	Key Differences / Risks
St. Michaels, MD	Very close match on scale, historic harbor, mixed commercial/recreational fleet, tourism intensity.	More upscale lodging/dining profile; higher tourism price point.
Rockport, MA	Similar walkable village, arts + tourism, active harbor with strong visitor economy.	Larger arts/gallery cluster; New England climate and context.
Beaufort, NC	Harbor town with maritime history, tourism, research presence; similar mixed economy.	More exposure to hurricanes; larger marine science footprint.
Lewes, DE	Historic coastal town with harbor, ferry connection, retiree + tourism mix.	Denser development, more established tourism and retiree population.
Boothbay Harbor, ME	Working harbor with fishing fleet + tourism; similar harbor operations + seasonality.	Colder climate; stronger lobster fleet orientation; more seasonal closures.
St. Marys, GA	Small historic coastal town with marsh/river access, ferry connections, visitor appeal.	Stronger marsh/island tourism dynamic; part of Lowcountry environment.
Southport, NC	Historic harbor town with strong maritime identity, festivals, and visitor traffic similar to Cape Charles.	Greater exposure to Atlantic hurricane impacts; higher peak-season congestion.
Port Royal, SC	Historic waterfront community with redevelopment efforts, small-town coastal scale, and growing marina assets.	Greater regional competition (Beaufort/Lowcountry); warmer climate and higher hurricane risk.
Crisfield, MD	Strong watermen heritage, seafood identity, working harbor, and Chesapeake cultural parallels.	Economic distress, declining population, higher climate and subsidence vulnerability.
Wickford (North Kingstown), RI	Historic harbor village, walkable district, marinas, boutiques—close feel match.	New England climate; different tourism seasonality; higher cost base.
Old Saybrook, CT	Historic coastal town at river-mouth setting, boating/marina amenities, tourism + residential blend.	Larger community scale; stronger commuter influences; higher housing costs.
Exmore, VA	Nearby Eastern Shore town with corridor role, some tourism/retail parallels.	Less direct waterfront presence; fewer destination amenities than Cape Charles.
Georgetown, SC	Historic port with riverfront, shrimp heritage, mixed tourism + working waterfront.	Larger industrial port components; different Lowcountry climate + risk profile.

Comparative Scoring Index

To make peer comparisons more actionable, each location has been scored on five qualitative dimensions relative to Cape Charles (1 = low similarity, 5 = very close match):

- 1) Scale / population fit
- 2) Working harbor profile
- 3) Tourism & seasonality match
- 4) Historic / character match
- 5) Risk / resilience profile similarity

Comparative Scoring Index – Cape Charles Similarity

Location	Scale	Harbor	Tourism	Historic	Resilience	Overall Score
St. Michaels, MD	5	5	5	5	4	5.0
Rockport, MA	4	4	5	5	4	4.5
Beaufort, NC	4	4	4	4	3	4.0
Lewes, DE	4	4	4	4	4	4.0
Boothbay Harbor, ME	3	5	4	4	3	4.0
Southport, NC	3	4	4	4	2	3.75
Wickford (North Kingstown), RI	4	3	3	5	3	3.75
St. Marys, GA	3	3	4	4	3	3.5
Old Saybrook, CT	4	3	3	4	3	3.5
Crisfield, MD	3	4	3	4	2	3.5
Georgetown, SC	3	4	3	4	3	3.5
Port Royal, SC	3	3	3	3	2	3.0
Exmore, VA	2	2	3	3	3	2.5

Update: Preliminary Comparable Analysis

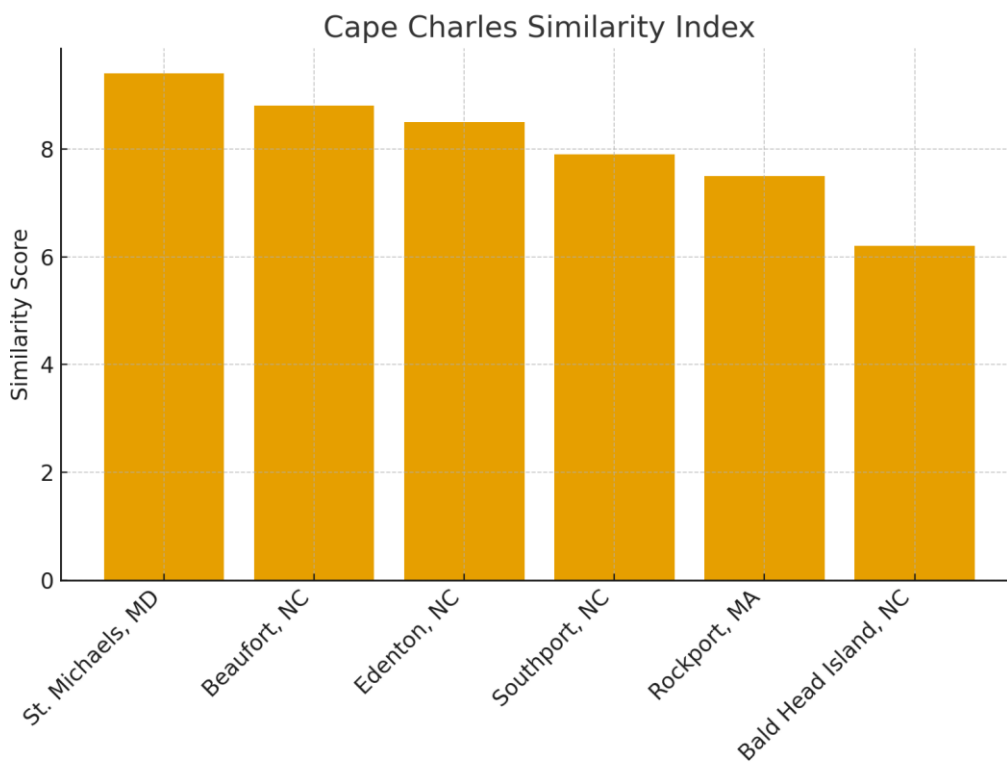
Cape Charles Coastal Peer Profile and Similarity Index

Executive Summary

This briefing compares Cape Charles, Virginia with six carefully selected coastal peer towns along the East Coast. The analysis evaluates similarity across categories including historic character, tourism economy, maritime identity, infrastructure, and overall community profile.

Similarity Ranking

1. St. Michaels, MD: 9.4
2. Beaufort, NC: 8.8
3. Edenton, NC: 8.5
4. Southport, NC: 7.9
5. Rockport, MA: 7.5
6. Bald Head Island, NC: 6.2



Comparative Profile Table

Location	Cape Charles	St. Michaels, MD	Rockport, MA	Beaufort, NC	Southport, NC	Bald Head Island, NC	Edenton, NC
General Profile	Historic Chesapeake Bay town with tourism, marina, and arts economy.	Chesapeake maritime town with strong tourism and preserved district.	New England arts/fishing village with strong seasonal tourism.	Carolina harbor town with heritage and marine research sectors.	Coastal Carolina town with historic core and tourism/retirement economy.	Barrier island with conservation-driven tourism and limited access.	Historic Albemarle Sound town with heritage tourism and civic culture.

Two additional locations were suggested in the Council meeting. An update on these two include:

Cape Charles, Bald Head Island, and Edenton: Comparative Community & Coastal Profiles

Cape Charles, Virginia stands at a unique intersection of **historic small-town identity, coastal amenity, and a rapidly strengthening tourism and residential economy**. When compared with Bald Head Island, NC, and Edenton, NC, three distinct models of coastal community life emerge—each defined by its access, economic orientation, history, and relationship with visitors.

Cape Charles and Edenton share the strongest alignment. Both are **walkable, compact historic towns** with meaningful civic fabric, year-round populations, and a heritage-driven sense of place. Each centers its brand around architectural preservation, public waterfront access, boutique retail, and community events. Edenton leans more heavily into colonial heritage and government/institutional presence, while Cape Charles expresses a more mixed-use coastal village identity with stronger **beach tourism**, marinas, and hospitality development. Cape Charles’s recent growth pressures—rising STR activity, residential construction, and new retail—contrast with Edenton’s more controlled, steady, preservation-forward trajectory. Nevertheless, these two towns are highly comparable for strategic benchmarking around community balance, heritage management, and diversified local economies.

Cape Charles and Bald Head Island, by contrast, represent fundamentally different development models. Bald Head Island is a **ferry-access-only, no-cars, conservation-managed barrier island** with a primary economic base in high-end real estate, resort amenities, and environmentally controlled tourism. Cape Charles, conversely, is a **publicly accessible harbor town** with a working waterfront, public beaches, restaurants, events, and mixed-income neighborhoods. While both rely on tourism and possess strong place identity, Cape Charles functions as a **traditional town with infrastructure, civic life, and full-time residents**, whereas Bald Head Island operates as a **destination resort community** with limited year-round economic activity beyond property management and hospitality. This contrast highlights Cape Charles’s significantly broader economic foundation and deeper community structure compared with BHI’s exclusivity and conservation orientation.

In summary, **Edenton offers Cape Charles the clearest analog for understanding heritage-centered revitalization**, while **Bald Head Island provides insight into the upper range of coastal amenity-driven, conservation-limited development models**. Cape Charles occupies a strategic middle ground—blending accessible coastal living, strong heritage, tourism vitality, and a functional civic core.

EXPANDED ECONOMIC COMPARISON

Cape Charles, Bald Head Island, and Edenton

Below is a detailed comparison across core economic dimensions relevant to tourism, residential development, municipal planning, and economic strategy.

1. Population & Demographic Base

Community	Year-Round Population	Notes
Cape Charles, VA	~1,200	Small but rapidly growing; increasing young families and remote workers.
Bald Head Island, NC	~200	Primarily second homes; population swells seasonally.
Edenton, NC	~4,400	Stable, diversified population; significant civic and institutional presence.

Implication:

Cape Charles and Edenton function as civic communities; Bald Head Island does not.

2. Accessibility & Visitor Flow

Factor	Cape Charles	Bald Head Island	Edenton
Road Access	Excellent (US-13)	None— Ferry only	Excellent (regional highways)
Visitor Type	Families, boaters, beach tourists, retirees	High-income, resort visitors	Heritage tourists, families, retirees
Peak Seasonality	High	Very high	Moderate

Implication:

Cape Charles and Edenton attract broader visitor segments; BHI intentionally limits access.

3. Tourism & Hospitality Economy

Metric	Cape Charles	Bald Head Island	Edenton
STR Activity	High + expanding	Very high but restricted	Moderate
Lodging Mix	Boutique hotels, rentals, B&Bs	Rental homes + resort accommodations	Inns, B&Bs, small-scale lodging
Hospitality Revenue Dependence	High	Very high	Moderate

Implication:

Cape Charles’s tourism model is robust but more diversified than Bald Head Island’s, and significantly more intensive than Edenton’s.

4. Real Estate & Housing Market

Category	Cape Charles	Bald Head Island	Edenton
Median Home Price (approx.)	High & rising	Very high	Moderate

Category	Cape Charles	Bald Head Island	Edenton
Development Trend	Rapid shoreline & in-town infill	Strictly controlled, expensive	Slow, preservation-led
Housing Mix	Mixed-income + luxury	Luxury-dominant	Affordable relative to peers

Implication:

Cape Charles is transitioning toward a higher-cost coastal housing market. Edenton remains more stable; BHI is luxury-only.

5. Commercial Base

Economic Area	Cape Charles	Bald Head Island	Edenton
Retail & Dining	Growing, diverse	Limited, resort-focused	Stable, traditional
Maritime Economy	Active marinas, boat repair, charters	Marina exists but orientation is recreational	Limited boating economy on the Sound
Government / Institutional	Limited	Minimal	Strong (county seat, schools, courts)

Implication:

Cape Charles has the most diverse small-town economy of the three; Edenton has more stability in government/institutional employment.

6. Environmental / Climate Exposure

Factor	Cape Charles	Bald Head Island	Edenton
Elevation Risk	Moderate (flooding, sea-level rise)	High (barrier island)	Low-moderate
Resilience Infrastructure	Improving	Strict building/environmental restrictions	Protected inland position

Implication:

Cape Charles has coastal risk but far less than a barrier island; Edenton’s inland position offers relative protection.

Strategic Takeaways for Cape Charles

Lessons from Edenton

- Preservation + civic identity can support stable long-term growth.
- Year-round residents anchor the economy in ways tourism can’t.
- Heritage-led branding produces durable value.

Lessons from Bald Head Island

- Coastal amenities can command very high value when access is controlled.
- Conservation-oriented planning can shape brand identity and economic trajectory.
- Infrastructure limits create exclusivity—but also vulnerability.

Cape Charles’s Position

Cape Charles balances **accessibility, heritage,** and **coastal amenity** in a way neither Edenton nor Bald Head Island individually achieves, making it a uniquely positioned mid-Atlantic coastal community with strong capacity for sustainable and diversified growth.

	Agenda Title:	Agenda Date:
	Conditional Use Permit Application from the Cape Charles Rosenwald School Restoration Initiative	January 15 th , 2026
	Subject/Proposal/Request:	
Planning Commission Recommendation on Proposed Comprehensive Sign Plan as Part of a Conditional Use Permit Application to allow for a sign of 59 sq. ft. and greater than 10 ft. in height.		
Town of Cape Charles	Attachments:	For Council:
	1) Planning Commission Staff Report dated January 6 th , 2026 2) Zoning Clearance Application, Conditional Use Permit Application and Article V of the Cape Charles Zoning Ordinance – Signs	Action: X Information:
	Staff Contact(s):	Reviewed by:
	Katie Nunez, Director of Planning & Zoning Administrator	Rick Keuroglan, Town Manager

Background & Narrative of Conditional Use Permit Application:

The Cape Charles Rosenwald School Restoration Initiative filed Conditional Use Permit Application 2026-01 for a 59 square foot, freestanding sign at a height of greater than 10 ft.; said sign to be placed at the entrance of the Cape Charles Impact Center located at 1500 Old Cape Charles Road.

The Planning Commission held a public hearing on Tuesday, January 6, 2026 and the Town Council is holding their public hearing on this application this evening and discussing and reaching a decision on CUP2026-01.

Item Specifics and Ordinance Requirements:

This property is located in the Commercial-1 Zoning District and under the Cape Charles Town Code, [Chapter 32 \(Zoning Ordinance\) Article V \(Signs\), Section 32.121 \(Commercial District Signs and Harbor District Signs\)](#) allows by right for one permanent, free-standing sign at a maximum size of 24 square feet with a maximum size of 10 feet.

However, this section of the Zoning Ordinance also includes a provision for Special Exceptions for Signs, which is contained in [Chapter 32, Article V, Section 32.112 \(f\) \(Permit Required\)](#) and it states the following:

Section 32.112 (f): Special exceptions. Comprehensive sign plans may be approved as part of a conditional use permit in commercial, heavy and light industrial, and harbor districts and as part of a subdivision approval for three lots or greater in all zoning districts. The comprehensive sign plan shall establish the time, manner, and placement of signs, frequency of message changes, the materials, the hours of lighting, the height of signs, the total number of square feet of sign surface, and the number of signs to be placed on a site. Height of signs shall not be modified above the height permitted in the zoning ordinance.

Planning Commission Public Hearing

On January 6th, 2026, the Planning Commission heard a proposed comprehensive sign plan as part of a Conditional Use Permit Application from the Cape Charles Rosenwald School Restoration Initiative to allow for a 59 sq. ft. freestanding sign at a height of greater than 10 ft. to be placed at the entrance of the Cape Charles Impact Center. The staff report was provided to the Planning Commission.

The applicant, represented by Elise McMath, **spoke on the matter**. She stated that the application was pretty straightforward; there are other signs in the area that are quite large but she understand that that was before the Town changed its zoning sign ordinance. She was asked if the sign would be illuminated and she responded that they are not proposing to illuminate it at this time via underground connection but may consider solar lights in the future, depending upon cost and need.

The public hearing was held and there were no written or verbal comments offered and the hearing was closed.

During their discussion of the proposed application, the entirety of the Planning Commission expressed concern about the requested square footage and height of the sign. This was further extrapolated upon when Commissioner Newman conveyed his worry that by recommending approval of the Conditional Use Permit Application as presented, the Planning Commission would be “blowing the square footage requirements out of the water” by going from 24 sq. ft. to 59 sq. ft. as the sign would then be 2 ½ greater than the maximum allowable square footage for a freestanding sign in the Commercial-1 (C-1) District.

Commissioner Newman then went on to question whether the applicant required a 59 sq. ft. sign, noting that comparable advertising and business signs in Cape Charles are smaller. He then cited how the Kiptopeke Elementary School sign (located in Northampton County) is 50 sq. ft. and located on Route 13, where the speed limit is 55 mph, compared to Old Cape Charles Road, where the speed limit is only 25 mph. He then referenced further investigatory work he did and cited the current Federal Highway Administration guidance, indicating that 4-inch lettering is more than legible at speeds of 25 mph or less. Commissioner Newman then asked the applicant if there was a way to place the address of the building on the side of the building instead of on the sign in order to shrink the sign.

Zoning Administrator Katie Nunez clarified that the sign ordinance specifically included this provision to allow for a Conditional Use Permit consideration of signs of a greater size than the ordinance states for a particular zoning district because not all the different

variables for signage needs can be anticipated. She stated that if the CUP is approved that it does not “blow the square footage requirements out of the water,” as the Conditional Use Permit process was intentionally built into the ordinance which provides a process that includes an opportunity for public input and allows both the Planning Commission and Town Council to consider whether site-specific circumstances justify a sign exceeding ordinance standards.

Commissioners Holloway and Wright both agreed with the points that Commissioner Newman had made.

Commissioner Ashworth explained that the Commission put a lot of time and effort into developing the sign ordinance, and in those meetings, he was an outspoken advocate for allowing some flexibility in the regulations that were being adopted. He then mentioned his two concerns he had for approving this Conditional Use Permit application as presented: (1) the Planning Commission and Town Council go through a large effort to adopt the ordinances, then the rules are never enforced uniformly; and (2) if the Planning Commission granted Conditional Use Permits for every sign application that came along it would become incredibly hard to say no. Commissioner Ashworth then wanted to know if the Impact Center would have a presence online for advertising as well as a physical sign.

After the Planning Commissioners had all spoken on the application, the applicant, Elise McMath, addressed some of the concerns that the Commissioners had mentioned. Regarding Commissioner Newman’s questions about moving the address to the front of the building, Ms. McMath explained that the address is already on the front of the building, as they would not have passed their building inspection otherwise. Furthermore, she explained that by having the address on the sign it would help delivery drivers find the building more easily. Finally, she addressed Commissioner Ashworth’s question on whether the Impact Center had a social media presence, and she responded in the affirmative. The sign would just be another way to get information out to the public.

After deliberating, the Planning Commission made the following recommendation on the proposed Conditional Use Permit Application by the Cape Charles Rosenwald School Restoration Initiative.

Planning Recommendation: The motion was made by Commissioner Stramm and seconded by Commissioner McDonald to recommend approval of Conditional Use Permit Application (CUP) 2026-01 to the Town Council with the conditions that the sign does not exceed 36 sq. ft., is no greater than 10 ft. in height, and complies with the lighting requirements as laid out in the Zoning Ordinance and the vote was unanimous.

Town Council Information:

Following your public hearing, the Town Council can do one of four actions:

1. Vote to **approve** CUP2026-01 as requested by the Cape Charles Rosenwald School Restoration Initiative for a 59 square foot, freestanding sign at a height of greater than 10 ft.; said sign to be placed at the entrance of the Cape Charles Impact Center located at 1500 Old Cape Charles Road.

2. Vote to **accept the recommendation from the Planning Commission and approve CUP 2026-01 with the following conditions:** that the sign does not exceed 36 sq. ft., is no greater than 10 ft. in height, and complies with the lighting requirements as laid out in the Zoning Ordinance.
3. Vote to **approve CUP2026-01 with some other defined square footage above 24 square feet (the ordinance limitation) but less than 59 square feet (the applicant's request for the size of the sign)** as well and the height not to exceed 10 ft and complies with the lighting requirements as laid out in the Zoning Ordinance.
4. Vote to **deny CUP2026-01 with stated reasons.**



Planning Commission Staff Report

Agenda Title: Cape Charles Rosenwald School Restoration Initiative – CUP Application

Agenda Date: January 6th, 2026

Prepared by: Jack Steinmayer, Zoning Compliance Officer

Reviewed By: Katie Nunez, Director of Planning/ Zoning Administrator

Date: December 17th, 2025

Type of Application: Conditional Use Permit Application

Applicant: Cape Charles Rosenwald School Restoration Initiative

Site Address 1500 Old Cape Charles Road

Tax Map: 83A3-A-14D

Zoning: Commercial-1 (C-1)

Proposal: Allow for a 59 sq. ft. freestanding sign at a height of greater than 10 ft. to be placed at the entrance of the Impact Center.

Legal Deadline Requirements

Date Application Received: December 11th, 2025

Date Application Deemed Complete: December 11th, 2025

For Planning Commission:

For Town Council (Directory, not Mandatory) Can act upon receipt of recommendation from Planning Commission; if PC fails to provide recommendation within the prescribed deadlines, it is deemed a favorable recommendation by the PC. Town Council max time frame is 12 months from when referred to the Planning Commission:

Narrative of Proposal:

The applicant (Cape Charles Rosenwald School Restoration Initiative) is seeking to obtain a Conditional Use Permit (CUP) for a comprehensive sign plan to allow for a freestanding sign of 59 sq. ft. at a height of greater than 10 ft. to be placed at the entrance of the Impact Center along Old Cape Charles Road.

Aerial of Property:



Zoning Ordinance Requirements:

The Cape Charles Zoning Ordinance Section 5.3 (F) states:
Special Exceptions. Comprehensive sign plans may be approved as part of a conditional use permit in commercial, heavy, and light industrial, and harbor districts, and as part of a subdivision approval for three (3) lots or greater in all zoning districts. The comprehensive sign plan shall establish the time, manner, and placement of signs, frequency of message changes, the materials, the hours of lighting, the height of signs, the total number of square feet of sign surface, and the number of signs to be placed on a site. The height of signs shall not be modified above the height permitted in the Zoning Ordinance.

This is a new ordinance that has been revamped to comply with Federal Law. Moving forward, any sign plan that deviates from the listed requirements laid out in Section 5.11.1 through 5.11.3 needs to be presented through a Conditional Use Permit Application.

The Cape Charles Zoning Ordinance Section 4.2 (B) states:
Conditional Use Permits may be issued for any of the conditional uses for which a use permit is required by the provisions of this ordinance in the specific districts provided by the Town Council, upon recommendation by the Planning Commission, shall find that after a duly advertised public hearing, the use will not:

- 1. Adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood of the proposed use or adversely affect other land uses within the particular surrounding neighborhood.*

2. *Be detrimental to the public welfare or injurious to property or improvements in the neighborhood.*
3. *Conflict with the purpose of the comprehensive plan of the Town of Cape Charles.*

In granting any Conditional Use Permit, the Town Council shall designate such conditions as it determines to carry out the intent of this ordinance.

Additionally, approval of a conditional use permit shall be valid for only the specific use it covers in the specific location designated for one year after approval by the Town Council and the completion of the additional permit process as requested in the application. The applicant shall apply or have applied for all additional permits as provided to the Planning Commission and as required by the Zoning Administrator within one (1) month of the approval by the Town Council. If the applicant fails to apply for any such permit within this period, the Conditional Use Permit shall be effective as of this date, thirty (30) days after Town Council approval, unless Town Council allows for additional time for such application or applications. If not acted upon within one (1) year, the Conditional Use Permit shall become null and void, unless an extension of the time is approved by the Town Council for good cause shown before the expiration of the Conditional Use Permit.

Staff Analysis:

This is the first time that a business in the Commercial-1 (C-1) District has requested a sign that exceeds the maximum allowable sq. ft. of 24 for a permanent on-site freestanding sign. After further review, the application presented to the Planning Commission by the Cape Charles Rosenwald School Restoration Initiative for the approval of a comprehensive sign plan to allow for a 59 sq. ft. freestanding sign at a height of greater than 10 ft. to be placed at the entrance of the Impact Center has demonstrated consistency and adherence to the requirements laid out in *Article V Section 5.3 (F)*.

Recommendation to the Planning Commission:

I am recommending that the Planning Commission recommend to the Town Council to approve the application for a Conditional Use Permit for the installation of a 59 sq. ft. at the entrance of the Impact Center, for all the reasons contained herein.

Depending upon comments received and heard during the public hearing, there may be additional factors that the Planning Commission should consider when developing its motion.

Attachments:

Attachment 1 – Conditional Use Permit Application (2026-01)

Attachment 2 – *Article V: Signs* of the Cape Charles Zoning Ordinance

Revised 011/2025	
Taxes	
Violations	—
Fee	exempt
Decision	



Application for Zoning Clearance

Planning & Zoning Department
 412 Tazewell Avenue
 Cape Charles, VA 23310
 757-331-3259 x31
planningtech@capecharles.org

Fee \$150 unless a residential building permit

Budget Code: MISPL 100-3100-1070

Budget Code for VIOLATIONS: PERMZ 100-3100-1370

PART 1. APPLICATION NOTES

Use this form to request zoning clearance for all new construction, alteration of existing structures, additions, or demolitions within the Town of Cape Charles * *The applicant is responsible for confirming and obtaining all necessary building permits after approvals.*

In addition to the information required in this application, all items from this checklist must be submitted before it can be evaluated.

- Photos of existing area Site Plan Owner Affidavit

Owner/Applicant signature: _____ Date: 12/11/2025

PART 2: PROPERTY INFORMATION

Property Address: 1500 Old Cape Charles Rd Tax Map #: 083A3-A-14D

Zoning District if not located in Bay Creek:

- R-1 R-2 R-3 CR C-1 C-2 C-3
 M-2 HARB-C HARB-LI

Zoning District if located in Bay Creek: Located on Bay Creek property, but not in a current subdivision

Subdivision Name	Zoning Designation	Subdivision Name	Zoning Designation
<input type="checkbox"/> Bayside Village	PUD Village	<input type="checkbox"/> Muirfield Village	PUD Village
<input type="checkbox"/> Bay Vista	PUD R-3	<input type="checkbox"/> New Quarter	PUD R-2
<input type="checkbox"/> Fairways	PUD R-3	<input type="checkbox"/> Plantation Pointe	PUD R-1
<input type="checkbox"/> Heron Pointe	PUD R-2	<input type="checkbox"/> The Colony	PUD R-3
<input type="checkbox"/> Kings Bay	PUD R-2	<input type="checkbox"/> The Hollies	PUD R-2
<input type="checkbox"/> Marina Resort	PUD R-2	<input type="checkbox"/> The Signature	PUD R-2
<input type="checkbox"/> Marina Village East	PUD R-2	<input type="checkbox"/> The Villas at Magnolia Park	PUD Village



Sign Permit Application

Planning & Zoning Department
 412 Tazewell Avenue
 Cape Charles, VA 23310
 757-331-3259 x32

planningadmin@capecharles.org

Revised	Section 9, Item A.
Taxes	
Violations	—
Fee	exempt
Decision	

Permit #		Budget Code: SIGNP-100-3100-1570
PART 1: APPLICATION NOTES		
<p>Use this form to request permission to display or erect any sign. No sign can be placed in, or overhang in, the public right-of-way, nor shall they be attached to any utility pole, light standard, or street tree. Additional requirements can be found in CCZO Article V.</p> <ul style="list-style-type: none"> No application shall be granted unless taxes on the real estate in question are paid in full as of the date of the application. No application shall be granted if there is an outstanding zoning violation on the real estate in question. If the applicant is not the owner, an Owner Affidavit must be submitted. 		
PART 2: PROPERTY INFORMATION		
Property Address: 1500 Old Cape Charles Rd		
Contractor: Andy Bucholz		
Address: 22156 S Bayside Rd. Cape Charles, VA 23310		
Email: andy@easternshoresigns.com		Phone #: 757-331-4432
PART 3: PROPERTY OWNER INFORMATION		
Property Owner/Tenant: Cape Charles Rosenwald School Restoration Initiative		
Business Address: P.O. Box 294, Cape Charles, VA 23310		
Email Address: emcmath@ccimpactcenter.org		Phone#: (757) 636-8667
<p><i>If the tenant is not the property owner, an Owner Affidavit for Permission to Represent must be completed and submitted with this request.</i></p>		
PART 4: PROJECT INFORMATION		
Estimated Cost: \$5,000		Sign: Material: vinyl composite
Advertisement (description):		

PART 5: PROJECT INFORMATION

Section 9, Item A.

Location of Signs	# Signs Permitted Please refer to the CCZO Section listed.	Sign Type Proposed	Sign Dimension and Area
<input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> CR <input checked="" type="checkbox"/> C-1 <input type="checkbox"/> C-2 <input type="checkbox"/> C-3 <input type="checkbox"/> HARB-C <input type="checkbox"/> HARB-LI <input type="checkbox"/> M-2	Section 5.11.1 Section 5.11.2 Section 5.11.2 Section 5.11.3	<input type="checkbox"/> Flags <input checked="" type="checkbox"/> Freestanding <input type="checkbox"/> Wall Signs* <input type="checkbox"/> Temporary Moveable Signs <input type="checkbox"/> Other: _____ _____ Number of Signs	59 sq ft 10 ft height 8 ft width 00 sq ft _____ ft height _____ ft width _____ sq ft Multiply number of signs x height x width to get area
Front Footage of Lot _____ sq ft Front Footage of Building _____ sq ft		*How is the sign affixed to the building? N/A	

Attached proposed rendering and an outline of the proposed sign using dashed lines to indicate distances to other buildings and all property lines. Include the exact sign type from Sections 5.11.1, 5.11.2, or 5.11.3.

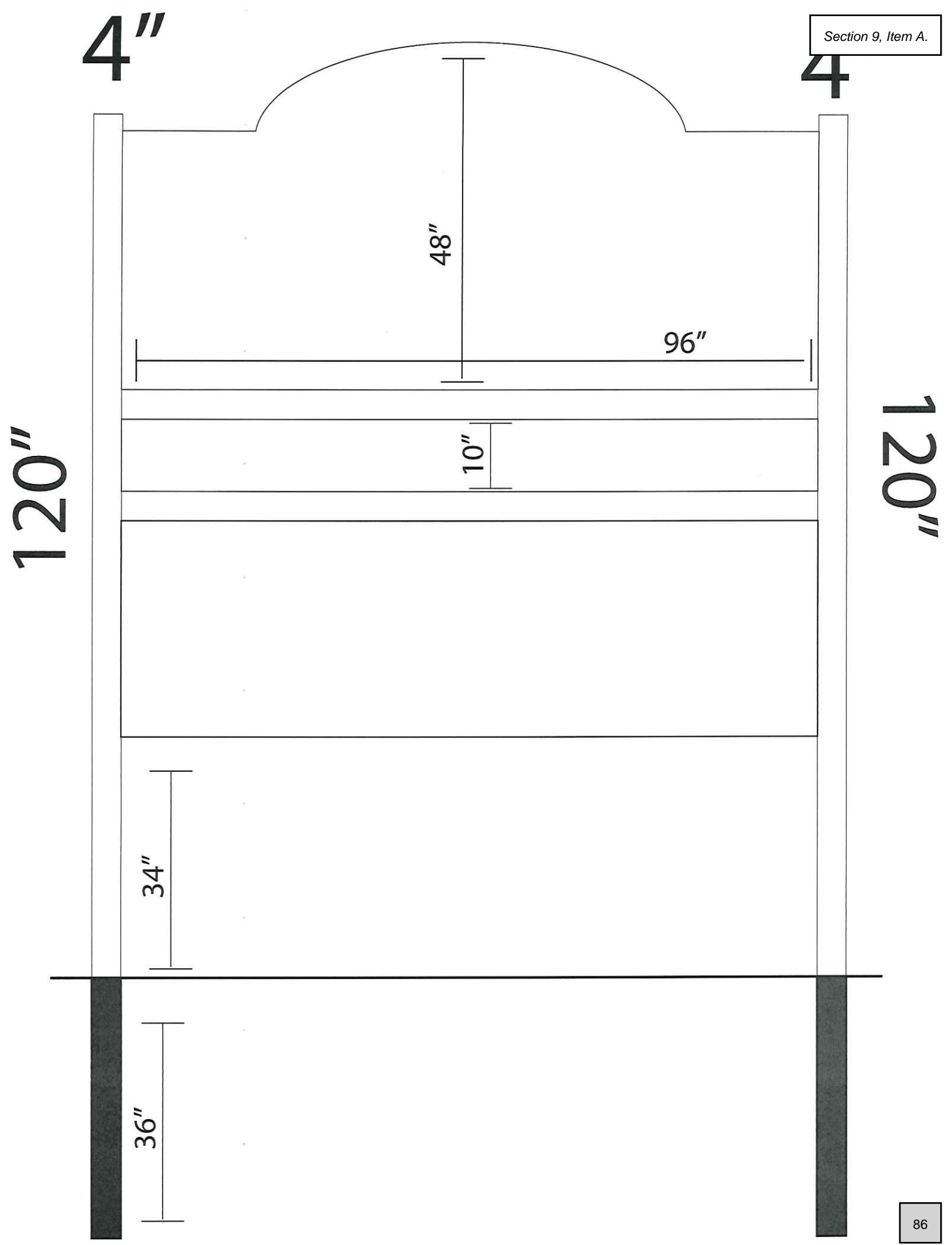
site plan, size rendering, and design rendering
ATTACHED

Applicant's signature: Elise McMath

Date: 12/11/2025

Zoning Administrator's signature: _____

Date: _____







Conditional Use Permit Application

Planning & Zoning Department
412 Tazewell Avenue
Cape Charles, VA 23310
757-331-3259 x31
planningtech@capecharles.org

Revised 11/2025	
Taxes	
Violations	—
Fee	exempt
Decision	

Budget Code: LANDF 100-3100-1050

PART 1: APPLICATION NOTES

Certain land uses, by nature, can have a potentially unfavorable impact on or be incompatible with other uses of land within a given zoning district. These uses may be permitted within designated districts under controls, limitations, and regulations of a conditional use permit. The Town Council has the responsibility to evaluate the impact and the compatibility of each use and to stipulate conditions and restrictions to assure the proposed use is compatible with the neighborhood in which it is located. The Council can deny the use as not being in accordance with the adopted comprehensive plan or as being incompatible with the surrounding neighborhood.

In addition to the information required in this application, all items from this checklist must be submitted before it can be evaluated.

- Zoning Clearance Application
- Site Plan/Survey showing existing conditions and proposed changes

Owner signature: *Elise McMath* Date: 12/11/25

PART 2: PROPERTY INFORMATION

Property Address: 1500 Old Cape Charles Rd.

Tax Map #: 083A3-A-14D Zoning District: C-1

Current use: Proposed use:

PART 3: PROPERTY OWNER INFORMATION

Name and/or Company: Cape Charles Rosenwald School Restoration Initiative

Mailing Address: P.O. Box 294, Cape Charles, VA 23310

Phone Number: 7576368667 Email: emcmath@ccimpactcenter.org

If owner is not the applicant, an Owner's Permission Affidavit must be attached.

PART 4: APPLICANT INFORMATION

Name and/or Company:

Mailing Address:

Phone Number: Email:

PART 5: PROJECT INFORMATION

A. Neighborhood

1. What are the current uses and characteristics of the neighborhood? Commercial use

2. How would this proposed use fit in with the neighborhood? Although the C-1 zoning district generally limits signs to 24 sq. ft., that standard is intended for dense, pedestrian-oriented areas like Mason Avenue. Our site, by contrast, is low-density, rural, and auto-oriented, with only one other nearby facility that screened from view. The proposed 59 sq. ft. sign is scaled to this setting, ensuring drivers can safely identify and access the center and educational center without disrupting the natural, low-profile character of the neighborhood. Its size and placement are compatible with the surroundings and support the functional needs of a public-serving facility in this context.

3. Describe the effects that any noise or odor from the proposed use might have on the neighborhood. this got cut off... see comp. sign plan attachment
N/A

B. In the Commercial and Harbor Districts, a conditional use permit is required for residential use above 1st floor commercial use.

Number of residential floors _____ Number of residential units per floor _____
Number of parking spaces on premises _____ Number of parking spaces on street _____ deeded off-site _____
Amenities provided _____

C. Description of Use

Days of Operation Permanent sign Number of full-time staff? _____ Part-time? _____
Hours of Operation _____ If foodservice, will there be alcohol sales on premises? _____
Hours of Delivery _____

D. Site plan must also include Primary and any accessory structures (size & setbacks), Trash location, screening, fencing, lighting, utilities, landscaping, and parking if required.

I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct, and that the construction or improvements will conform to the regulations in the Virginia Statewide Building Code, all pertinent Town Ordinances, including fire, sewer and water ordinances, and private building restrictions, if any, which may be imposed on the property by deed.

Applicant's signature: Glise Melman

Date: 12/11/2025

Zoning Administrator's signature: _____

Date: _____



The Historic Cape Charles Elementary
A Washington-Rosenwald School

COMPREHENSIVE SIGN PLAN

December 11, 2025

Prepared by Elise McMath

Elise McMath

Although the C-1 zoning district generally limits signs to **24 sq. ft.**, that standard is well suited for dense, pedestrian-oriented commercial areas like Mason Avenue. Our site, by contrast, is **low-density, rural, and auto-oriented**, with only one other nearby facility that is screened from view. The proposed **59 sq. ft. sign** is scaled to this setting, ensuring drivers can safely identify and access the community and educational center without disrupting the natural, low-profile character of the neighborhood. Its size and placement are compatible with the surroundings and support the functional needs of a public-serving facility in this context.

We propose a **single, double-sided building identification and informational sign** located near the main entrance to the parking lot, approximately **22 feet from the center of Old Cape Charles Road** (~18 feet from the edge). The sign is oriented perpendicular to the roadway, with identical content on each face. The sign will measure **10 feet tall by 8 feet wide**, with a total surface area of **59 square feet per side**, and will be free-standing on **10-foot posts** set into the ground. The sign will be constructed of **vinyl composite materials** for durability and low maintenance.

The sign will display the organization's **logo, tagline, 911 address**, and a **letterboard for rotating messages** advertising events, programming, and other community information. Message changes will occur approximately **every two to four weeks**, depending on the organization's calendar. No permanent illumination is planned; if lighting is added in the future, it would likely be **solar-powered and limited to operational hours**, minimizing impact on the surrounding area. **Installation** will be performed by Eastern Shore Signs, and ongoing **maintenance and upkeep** will be managed by the facility's staff.

This single sign is designed to **identify the building, provide public information, and guide visitors safely**, while remaining compatible with the rural character of the site and historic character of the Town of Cape Charles. Its **size, placement, materials, and manner of installation** are all consistent with the operational and aesthetic needs of the facility and the surrounding neighborhood.

Article V – Signs

Section 5.1: General Provisions

A. Purpose and Intent; Interpretation

1. Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this article is to regulate the size, color, illumination, movement, materials, location, height, condition, and other physical characteristics, but, not the content, of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment upon historic areas, and the safety and welfare of pedestrians and wheeled traffic, while providing convenience to citizens and encouraging economic development. This article allows adequate communication through signage while encouraging aesthetic quality in the design, location, and size of all signs. This article shall be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this article which can be given effect without the invalid provision.
2. Signs not expressly permitted as being by right or by conditional sign permit under this article, by specific requirements in another portion of this Ordinance or otherwise expressly allowed by the Town Council or Board of Zoning Appeals are forbidden.
3. These regulations are intended to regulate signs that are not distracting to motorists and are constructed and maintained in a structurally sound and attractive condition.
4. These regulations distinguish between portions of the Town designed for primarily vehicular access and portions of the Town designed for primarily pedestrian access.
5. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

Section 5.2: Definitions.

ADVERTISING means any words, symbol, color or design used to call attention to a commercial product, service, or activity.

ANIMATED SIGN means a sign or part of a sign that is designed to rotate, move or appear to rotate or move. Such a sign is sometimes referred to as a “moving sign.”

AIR-INFLATED SIGN means a sign that is inflated through electric or generated controlled air. Examples: tube man or googly man

BUILDING FRONTAGE means the exterior length of the main wall of a building which physically encloses usable interior space, and which is the architecturally designed wall that contains the main entrance for use by the general public. Said frontage shall be measured at a height of ten feet (10') above grade.

BUSINESS SIGN means a sign which directs attention to a product, service or commercial activity available on the premises.

CHANGEABLE COPY SIGN means a sign or part of a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign.

COMPREHENSIVE SIGN PLAN means a plan for the signage of a property that includes multiple tenants or owners with shared parking or other facilities.

FLASHING SIGN means a sign that includes lights that flash, blink, or turn on and off intermittently.

HEIGHT means the maximum vertical distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:

1. Existing grade prior to construction; or
2. The newly established grade after construction, exclusive of any filling, berming, mounding or excavating primarily for the purpose of mounting or elevating the sign.

ILLEGAL SIGN means any sign erected without a required permit or which otherwise does not comply with any provisions of this article.

ILLUMINATED SIGN means a sign that is backlit, internally lit, or indirectly lit, but does not include a neon sign.

NEON SIGN means a sign containing exposed tubes filled with light-emitting gas.

NON-CONFORMING SIGN. Any sign which was lawfully erected in compliance with applicable regulations of the Town and maintained prior to the effective date of this Article of the zoning ordinance and which fails to conform to current standards and restrictions of the zoning ordinance.

OFF-PREMISES SIGN means a sign advertising a business, person, activity, goods, products, or services not located on the site where the sign is installed, or that directs persons to any location not on that site.

PUBLIC SIGN means any public place, public right-of-way, any parking area or right-of-way open to use by the general public, or any navigable body of water.

ROOF SIGN means a sign erected or constructed, in whole or in part, upon or above the highest point of a building with a flat roof, or the lowest portion of a roof for any building with a pitched roof.

SIGN. Any structure, display, device or other object or thing, visible from any public street or right-of-way, any area open to use by the general public, or any navigable body of water, including, but not limited to, any word, letter, series of words or letters, painting, mural, logo, insignia, emblem, service mark or other graphic or pictorial representation, that:

1. identifies or advertises, or directs or attracts attention to, any product, merchandise, service, business or establishment,
2. suggests the identity or nature of any business or establishment,
3. invites or proposes a commercial transaction, or
4. communicates a message of a noncommercial nature. The term does not include holiday signs, architectural elements incorporated into the style or function of a building, numerals signifying a property address, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure.

SIGN FACE means the portion of a sign structure bearing the message.

SIGN STRUCTURE means any structure bearing a sign face.

SIGN means any sign intended to be displayed for a limited period and neither permanently installed in the ground or permanently affixed to a building or structure permanently installed in the ground.

VEHICLE OR TRAILER SIGN means any sign attached to or displayed on a vehicle, if the vehicle or trailer is used for the primary purpose of advertising a business establishment, product, service or activity. Any such vehicle or trailer shall, without

limitation, be considered to be used for the primary purpose of advertising if it fails to display current license plates, inspection sticker, or municipal decal, if the vehicle is inoperable, if evidence of paid-to-date local taxes cannot be made available, or if the sign alters the standard design of such vehicle or trailer.

Section 5.3: Permit Required

- A. *In general.* A sign permit is required prior to the display and erection of any sign except as provided in Section 4 (Permit not required) as well as in Sections 11 through 14 (Sign Regulations by Use and Zoning District).
- B. *Application for permit.*
1. An application for a sign permit shall be filed with the Planning & Zoning Department on forms furnished by that department. The applicant shall provide sufficient information to determine if the proposed sign is permitted under the zoning ordinance and other applicable laws, regulations, and ordinances.
 2. The Town Zoning Administrator or designee shall promptly process the sign permit application and approve the application, reject the application, or notify the applicant of deficiencies in the application within five (5) business days after receipt. If the application is rejected, the Town Zoning Administrator shall provide a list of the reasons for the rejection in writing. An application shall be rejected for non-compliance with the terms of the zoning ordinance, building code, or other applicable law, regulations or ordinance.
- C. *Permit fee.* A non-refundable fee as set forth in the uncodified fee schedule adopted by the Town Council shall accompany all sign permit applications.
- D. *Duration and revocation of permit.* If a sign is not installed within six (6) months following the issuance of a sign, the permit shall be void. The Town may revoke a sign permit under any of the following circumstances:
1. The Town determines that information in the application was materially false or misleading;
 2. The sign as installed does not conform to the sign permit application; or
 3. The sign violates the zoning ordinance, building code, or other applicable law, regulation, or ordinance.
- E. *Overlay district regulations.* All sign reviews as required pursuant to Article VIII (Historic District Overlay ordinance) require approval of the Historic District Review Board (HDRB) except when a sign permit is not required as provided in Section 4.

- F. *Special exceptions.* Comprehensive sign plans may be approved as part of a conditional use permit in commercial, heavy and light industrial, and harbor districts and as part of a subdivision approval for three (3) lots or greater in all zoning districts. The comprehensive sign plan shall establish the time, manner, and placement of signs, frequency of message changes, the materials, the hours of lighting, the height of signs, the total number of square feet of sign surface, and the number of signs to be placed on a site. Height of signs shall not be modified above the height permitted in the Zoning Ordinance.

Section 5.4: Permit Not Required

- A. Signs that do not require a permit are depicted in Sections 11 through 14 (Sign Regulations by Use and Zoning District). In addition, a sign permit is not required for:
 - 1. Signs erected by a governmental body or required by law. The Town, or through its designated agents, oversee or participate in Town Seasonal Events where temporary, moveable signage is allowed to promote these Town sponsored seasonal events, festivals or other marketing campaigns up to thirty (30) days prior to the event and must be removed seven (7) days after the conclusion of the event.
 - 2. The changing of messages on marquees and the repair of an existing permitted sign, except that repair of a nonconforming sign must comply with Section 9 (E).
 - 3. Pavement markings. Any sign applied directly and entirely to and flush with an asphalt, concrete, or similar paved surface related to parking and traffic.

Section 5.5: Prohibited Signs

In addition to signs prohibited elsewhere in this Code or by applicable state or federal law, the following signs are prohibited:

- A. General prohibitions.
 - 1. Signs that violate any law of the Commonwealth relating to outdoor advertising.
 - 2. Signs attached to natural vegetation on public lands
 - 3. Signs simulating, or which are likely to be confused with, a traffic control sign or any other sign displayed by a public authority. Any such sign is subject to immediate removal and disposal by an authorized town official as a nuisance.
 - 4. Vehicle or trailer signs, except such signs parked at their associated place of business and otherwise in compliance with this article and applicable law.
 - 5. Any sign displayed without complying with all applicable regulations of this Article.
- B. Prohibitions based on materials.
 - 1. Signs painted directly on any building that is a contributing structure in the Historic District Overlay, except where expressly permitted by this Article.

2. Animated signs
 3. Air-inflated sign
 4. Flashing signs or other signs displaying flashing, scrolling or intermittent lights or lights of changing degrees of intensity, except where such signs are expressly permitted within this article.
 5. Signs that emit smoke, flame, scent, mist, aerosol, liquid, or gas.
 6. Signs that emit sound.
 7. Any electronic sign that is generated by a series of moving images, such as an LED, digital display, or other video technology, whether displayed on a building, vehicle, or mobile unit unless permitted within this article.
 8. Strings of flags visible from, and within fifty feet (50') of, any public right-of-way.
- C. Prohibitions based on location.
1. Signs erected on public land other than those approved by an authorized Town official in writing, required by law without such approval, or permitted under the [Code of Virginia § 24.2-310 E](#). Any sign not so authorized is subject to immediate removal and disposal by any authorized official. Removal of the sign under this provision does not preclude prosecution of the person responsible for the sign.
 2. Signs on the roof surface or extending above the roofline of a building or its parapet wall.
 3. Neon signs, except in windows unless permitted in this article.
 4. Off-premises signs, unless specifically permitted by this article.

Section 5.6: Measurements of sign area

- A. Supports, uprights or structure on which any sign is supported shall not be included in determining the sign area unless such supports, uprights or structure are designed in such a way as to form an integral background of the display; except, however, when a sign is placed on a fence, wall, planter, or other similar structure that is designed to serve a separate purpose other than to support the sign, the entire area of such structure shall not be computed. In such cases, the sign area shall be computed in accordance with the provisions in Section 6 (C) below.
- B. In instances where there are multiple tenants or users on a property or in a building, allowable sign area for all parties shall not exceed the maximum sign area computed as if there were a single tenant or user.
- C. *Sign area.*
1. Sign area is calculated under the following principles:
 - a. With signs that are regular polygons or circles, the area can be calculated by the mathematical formula for that polygon or circle. With signs that are not regular polygons or circles, the sign area is calculated using all that area within a maximum of three abutting or

overlapping rectangles that enclose the sign face.

- b. The permitted area of a double-faced sign shall be considered to be the area on one side only. If one face contains a larger sign area than the other, the larger face shall be used in calculating the sign area. A double-faced sign must have an internal angle between its two faces of no more than forty-five degrees (45°).

Section 5.7: Maintenance and Removal

- A. All signs shall be constructed and mounted in compliance with the Virginia Uniform Statewide Building Code and Appendix H of the Virginia Construction Code.
- B. All signs and components thereof shall be maintained in good repair and in a safe, neat, and clean condition.
- C. The owner of any advertising sign, other than a permitted off-premises sign, located on commercial property where the use or business has ceased operating shall, within sixty (60) days of the cessation of use or business operation, replace the sign face with a blank face until such time as a use or business has resumed operating on the property.
- D. *Sign condition, safety hazard, and nuisance abatement.*
 1. Any sign which becomes a safety hazard, or which is not kept in a reasonably good state of repair shall be put in a safe and good state of repair within thirty (30) days of written notice to the owner and permit holder.
 2. Any sign which constitutes a nuisance may be abated by the Town under the requirements of the Code of Virginia § [15.2-900](#), [15.2-906](#), and/or [15.2-1115](#).
 3. The Code Official may cause to have removed or repaired immediately without written notice any sign which, in his opinion, has become insecure, in danger of falling, or otherwise unsafe, and, as such, presents an immediate threat to the safety of the public. If such action is necessary to render a sign safe, the cost of such emergency removal or repair shall be at the expense of the owner or lessee thereof as provided in the [Town Code Chapter 8, Article III](#).

Section 5.8: General requirements

- A. *Illumination.* All permitted signs may be backlit, internally lit, or indirectly lit, unless such lighting is specifically prohibited in this Article.
 1. In the case of indirect lighting, the source shall be so shielded that it illuminates only the face of the sign. However, signs shall be indirectly

illuminated or have shielded direct lighting, unless otherwise prohibited within this Article. Indirect lighting shall consist of full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light shall be substantially confined to the sign to minimize glare, sky glow, and light trespass. The beam width shall not be wider than that needed to light the sign.

2. Internal illumination shall be limited to the illumination standards for parking lot lighting in Section 4.5. No sign shall be permitted to have an illumination spread of more than .05-foot candle (.05 fc) at the lot line, shine into on-coming traffic, affect highway safety, or shine directly into a residential dwelling unit. In no event shall the illumination of any sign resulting from any internal or external artificial light source exceed 100 lumens. All lighting fixtures used to illuminate a sign shall be full-cutoff, as defined by the Illuminating Engineering Society of North America (IESNA) and shall have fully shielded or recessed luminaires with horizontal-mount flat lenses that prevent upward.

Section 5.9: Nonconforming signs

- A. Signs lawfully existing on the effective date of this Article or prior ordinances, which do not conform to the provisions of this Article and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain except as qualified below. The burden of establishing nonconforming status of signs and of the physical characteristics/location of such signs shall be that of the owner of the property. If notice from the zoning administrator is issued, a property owner shall submit verification that sign(s) were lawfully existing at time of erection. Failure to provide such verification shall be cause for order to remove sign(s) or bring sign(s) into compliance with the current ordinance.
- B. No nonconforming sign shall be enlarged nor shall any feature of a nonconforming sign, such as illumination, be increased.
- C. Nothing in this section shall be deemed to prevent keeping in good repair a nonconforming sign. Nonconforming signs shall not be extended or structurally reconstructed or altered in any manner, except a sign face may be changed so long as the new face is equal to or reduced in height and/or sign area.
- D. No nonconforming sign shall be moved for any distance on the same lot or to any other lot unless such change in location will make the sign conform in all respects to the provisions of this Article.
- E. A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding fifty percent of (50%) its area may be restored within two years (2 yrs) after such destruction or damage but shall not be enlarged in any manner. If such sign is so destroyed or damaged to an extent exceeding fifty percent (50%), it shall not be reconstructed but may be replaced with a sign that is in full accordance with the provisions of this Article.
- F. A nonconforming sign which is changed to becoming conforming or is replaced by

a conforming sign shall no longer be deemed nonconforming, and thereafter such sign shall be in accordance with the provisions of this Article.

- G. A nonconforming sign structure shall be subject to the removal provisions of Section 2.5. In addition, a nonconforming sign structure shall be removed if the use to which it is accessory has not been in operation for a period of two years or (2 yrs) more. Such structure sign shall be removed by the owner or lessee of the property. If the owner or lessee fails to remove the sign structure, the zoning administrator or designee shall give the owner fifteen (15) days written notice to remove it. Upon failure to comply with this notice, the zoning administrator or designee may enter the property upon which the sign is located and remove any such sign or may initiate such action as may be necessary to gain compliance with this provision. The cost of such removal shall be chargeable to the owner of the property.

Section 5.10: Non-commercial Signs

- A. Wherever this article permits a sign with commercial content, non-commercial content is also permitted subject to the same requirements of size, color, illumination, movement, materials, location, height, construction, and other requirements of this article.

Section 5.11.1: Residential District signs

Except as otherwise prohibited in this Article, the following signs are permitted as an accessory to residential uses in residential districts. Moving signs and electronic message signs are prohibited on residential properties in all residential districts.

Type	Flags Notes: (3)	Temporary Notes: (1) (2) (6)	Permanent Notes: (1) (4)
Permit Required	No	No	Yes
Size (Each/Total)	<24 ft/max 3 (Only one flagpole)	<12 sf/max 1 per building unit <16 sf/max 1 for multi – development site	Max 2 minor signs per building unit ≤ 3 sf each
			Historic markers exempted
			Sign other than minor signs ≤ 10 sf max 1; Freestanding for multi-family sites (apartment buildings) ≤ 32 sf/ max 1
Illumination	U.S Flage Code For other flags (see Section 8)	None	None
Setback	Not in public right-of-way nor 5 ft from service drive, travel lane, or adjacent street	Not within 5 ft of property boundaries or a public right-of-way	Not within 5 ft of property boundaries or a public right-of-way
Maximum Height	25 ft (flagpole)	4 ft	4 ft for freestanding
Location	Allowed within the front, rear and side setbacks provided that such structure shall not create a visual obstruction or hindrance to traffic on abutting street	Freestanding, portable, wall or window	Freestanding, wall or window sign
Duration	Unlimited	≤ 45 days per calendar year period, per building unit	Unlimited

- (1) Commercial signs are limited to existing legal non-conforming uses and permitted or conditional uses in that residential district.
- (2) Duration extensions may be granted *by Zoning Administrator* for finite activities expected to exceed standard duration, not to exceed ninety (90) days total.
- (3) Flag Code, [U.S. Code Title 36, Chapter 10, Section 174](#)
- (4) Minor sign means a wall or window sign not exceeding three square feet (3 SF) in area and not exceeding four feet (4') in height if freestanding and not illuminated.
- (5) Art is not considered a sign.
- (6) With all other requirements met, the number of temporary signs is unrestricted during the forty-five (45) day period immediately preceding a General Election.

Section 5.11.2: Commercial District signs & Harbor District signs

Generally. Except as provided otherwise in this Article, the following signs are permitted as accessory uses in commercial districts.

Type	Flags	Freestanding (Including Monument)	Wall Signs	Temporary Moveable Signs (e.g., A-Frame, Banner, Chalkboard, Feather, Off-Premises, Portable, Window)	Other (e.g., Canopy, Projecting, Awning, Marquee, Directory, Canopy)
<p>Definitions</p>	<p>FLAG means a piece of cloth or similar material, typically oblong or square, attachable by one (1) edge to a pole or rope and used as a symbol or decoration; this includes pennants.</p> <p>POLE SIGN means a sign that is mounted on one (1) or more freestanding poles.</p>	<p>FREESTANDING SIGN means any non-portable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building.</p> <p>GROUND MOUNTED SIGNS means a sign that is supported by structures or supports in or upon the ground and independent of any support from any building or wall.</p> <p>MONUMENT SIGN means a sign affixed to a structure built on grade in which the sign and the structure are an integral part of one another; not a pole sign.</p> <p>OFF-PREMISES SIGN means a sign advertising a business, person, activity, goods, products, or services not located on the site where the sign is installed, or that directs people to any location not on site.</p>	<p>WALL SIGN means any sign attached to a wall or painted on or against a flat vertical surface of a structure; including glass.</p>	<p>A-FRAME SIGN means a two-faced sign with supports that are connected at the top and separated at the base, forming an “A” shape not more than four feet (4’) height. These are also referred to as “sandwich board” signs. They are included in the term “portable sign.”</p> <p>BANNER means a sign of flexible material affixed to a framework or flat surface.</p> <p>CHALKBOARD SIGN means a single-faced, framed slate or chalkboard that can be written on with chalk or similar markers.</p> <p>FEATHER SIGN means a lightweight, portable sign mounted along one (1) edge on a single, vertical, flexible pole the physical structure of which may resemble a sail, bow, or teardrop.</p> <p>OFF-PREMISES SIGN means a sign advertising a business, person, activity, goods, products, or services not located on the site where the sign is installed, or that directs people to any location not on site.</p> <p>PORTABLE SIGN means any temporary sign not affixed to a building.</p>	<p>AWNING SIGN means a sign placed directly on the surface of an awning.</p> <p>CANOPY SIGN means a sign attached to a canopy.</p> <p>DIRECTORY SIGN (also identified as Multi-Tenant Sign): A sign which identifies tenants in a multi-tenant building or complex and which is located in the development for which it is advertising. Said sign will list the tenants or occupants of a building or group of buildings and may also indicate their respective professions or business activities.</p> <p>ENTRANCE CANOPY means a fixed or stationary canopy or hood constructed to provide protection at the entrance of a building, either supported entirely from a building, or supported partly from a building or from posts.</p> <p>HANGING SIGN means a sign supported by the extended arm of a single post or from a commercial establishment (parallel to the building façade).</p> <p>MARQUEE SIGN means a sign attached to and made a part of a marquee or any similar projections from a building, with changeable, fixed or both types of lettering.</p>

Type	Flags	Freestanding (Including Monument)	Wall Signs	Temporary Moveable Signs (e.g., A-Frame, Banner, Chalkboard, Feather, Off-Premises, Portable, Window)	Other (e.g., Canopy, Projecting, Awning, Marquee, Directory, Canopy)
	-	-	-	WINDOW SIGN means any sign visible outside the window and attached to or within eighteen inches (18”) in front of or behind the surface of a window or door, including etched or painted sign on a window or glass structure.	PROJECTING SIGN means a sign that is wholly or partly dependent on the building for support and that projects more than twelve inches (12”) from such building.
Permit Required	Yes for flagpole only	Yes	Yes	No	Yes
Size/Number (Each/Total)	24 sf/max 3 (only 1 flagpole)	Permanent On-Site: 24 sf/1. Permanent Off-Site: Up to 3 signs, each not to exceed 18 sf and 7 ft in height located on commercial property with owner permission. No more than 1 permitted sign displayed per lot.	<u>Wall Sign:</u> 12 sf per 5 lineal ft of building frontage <u>Wall Sign:</u> < 8 sf per 5 lineal ft of building side wall	≤ 16 sf/max 3	Directory – Limited to 1 sign per ingress/egress onto a primary road access Projecting signs perpendicular to building frontage ≤ 10 sf Hanging Sign parallel to building frontage ≤ 5 sf per 5 lineal ft Awning Signs ≤ 12 sf Entrance canopy sign < 12 sf
Illumination	U.S. Flag Code (See Note 1) Other Flags – See Section 8 requirements	If illuminated, see Section 8 requirements	If illuminated, see Section 8 requirements	Not to be illuminated	If illuminated, see Section 8 requirements
Setback	Not in the public right-of-way nor 5 ft from service drive, travel lane, or adjacent street.	All freestanding signs shall be set back from any street right-of-way at least half the height of the sign and 5 ft from service drive, travel lane, or adjacent street.	NA	Not in the public right-of-way nor 5 ft from service drive, travel lane, or adjacent street. Not to impede pedestrian traffic on the sidewalk.	NA

Type	Flags	Freestanding (Including Monument)	Wall Signs	Temporary Moveable Signs (e.g., A-Frame, Banner, Chalkboard, Feather, Off-Premise, Portable, Window)	Other (e.g., Canopy, Projecting, Awning, Marquee, Directory, Canopy)
Maximum Height	25 ft – Flagpole	10 ft	NA	10 ft	NA
Location	Allowed within the front, rear and side setbacks provided that such structure shall not create a visual obstruction or hindrance to traffic on abutting streets.	-	Building Wall	<p>If located on another property, property owner concurrence needed.</p> <p>No more than 1 sign shall be displayed per lot.</p> <p>Signs cannot impede public right-of-way.</p> <p>Window signs are permitted only on the first floor of a building unless the business is only on the floor where the window sign is displayed</p>	<p>Signs cannot impede public right-of-way.</p> <p>Directory or Multi-Tenant Signs: Limited to 1 monument sign per ingress/egress onto a primary road access.</p>
Duration	Unlimited	Unlimited	Unlimited	45 Days	Unlimited

(1) [U.S. Code Title 36, Chapter 10, Section 174](#)


Section 5.11.3 Heavy and Light Industrial District signs

Except as provided otherwise in this Article, the following signs are permitted as accessory uses in industrial districts.

Type	Flags	Freestanding (Including Monument)	Wall Signs	Temporary Moveable Signs (e.g., A-Frame, Banner, Chalkboard, Feather, Off-Premises, Portable, Window)	Other (e.g., Canopy, Projecting, Awning, Marquee, Directory)
Definitions	<p>FLAG means a piece of cloth or similar material, typically oblong or square attachable by one (1) edge to a pole or rope and used as a symbol or decoration; this includes pennants.</p> <p>POLE SIGN means a sign that is mounted on one (1) or more freestanding poles.</p>	<p>FREESTANDING SIGN means any non-portable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building.</p> <p>GROUND MOUNTED SIGNS means a sign that is supported by structures or supports in or upon the ground and independent of any support from any building or wall.</p> <p>MONUMENT SIGN means a sign affixed to a structure built on grade in which the sign and the structure are an integral part of one another; not a pole sign.</p> <p>OFF-PREMISES SIGN means a sign advertising a business, person, activity, goods, products, or services not located on the site where the sign is installed, or that directs people to any location not on site.</p>	<p>WALL SIGN means any sign attached to a wall or painted on or against a flat vertical surface of a structure; including glass.</p>	<p>A-FRAME SIGN means a two-faced sign with supports that are connect at the tope and separated at the base, forming an “A” shape not more than four feet heigh. These are also referred to as “sandwich board” signs. They are included in the term “portable sign.”</p> <p>BANNER means a sign of flexible material affixed to a framework or flat surface.</p> <p>CHALKBOARD SIGN means a single-faced, framed slate or chalkboard that can be written on with chalk or similar markers.</p> <p>FEATHER SIGN means a lightweight, portable sign mounted along one (1) edge on a single vertical, flexible pole the physical structure of which may resemble a sail, bow, or teardrop.</p> <p>OFF-PREMISES SIGN means a sign advertising a business, person, activity, goods, products, or services not located on the site where the sign is installed, or that directs people to any location not on site.</p> <p>PORTABLE SIGN means any temporary sign not affixed to a building.</p> <p>WINDOW SIGN means any sign visible outside the window and attached to or within eighteen inches (18”) in front of or behind the surface of a window or door, including etched or painted sign on a window or glass window as part of a door structure.</p>	<p>AWNING SIGN means a sign placed directly on the surface of an awning.</p> <p>CANOPY SIGN means a sign attached to a canopy.</p> <p>DIRECTORY SIGN (also identified as Multi-Tenant Sign): A sign which identifies tenants in a multi-tenant building or complex and which is located in the development for which it is advertising. Said sign will list the tenants or occupants of a building or group of buildings and may also indicate their respective professions or business activities.</p> <p>MARQUEE SIGN means a sign attached to and made a part of a marquee or any similar projections from a building, with changeable, fixed or both types of lettering in use.</p> <p>PROJECTING SIGN means a sign that is wholly or partly dependent on the building for support and that projects more than twelve inches (12”) from such building.</p>
Permit Required	No	Yes	Wall Sign: Yes	No	Yes

Type	Flags	Freestanding (Including Monument)	Wall Signs	Temporary Moveable Signs (e.g., A-Frame, Banner, Chalkboard, Feather, Off-Premises, Portable)	Other (e.g., Canopy, Projecting, Awning, Marquee, Directory, Window)
Size/ Number (Each/Total)	24 sf/max 3 (Only 1 flagpole)	Permanent On-Site: 40 sf/1 Permanent Off-Site: Up to 3 signs, each not to exceed 18 sf and 7 ft in height located on commercial property with owner permission. No more than 1 permitted sign displayed per lot.	Front Wall: 12 sf per 5 lineal ft of building frontage Side Wall: 8 sf per 5 lineal ft	16 sf/max 3	Directory – Limited to 1 sign per ingress/egress onto a primary road. Projecting signs perpendicular to building frontage ≤ 10 sf Hanging sign parallel to building frontage ≤ 5 sf./5 lineal ft Awning signs ≤ 12 sf Entrance Canopy Sign by ZA <12 sf
Illumination	U.S. Flag Code (see Note 1) Other Flags – See Section 8 requirements	If illuminated, see Section 8 requirements	If illuminated, Section 8 requirements	Not to be illuminated	If illuminated, Section 8 requirements
Setback	Not in public right-of-way nor 5 ft from service drive, travel lane, or adjacent street	All freestanding signs shall be set back from any street right-of-way at least half the height of the sign and 5 ft from service drive, travel lane, or adjacent street.	NA	Not in public right-of-way nor 5 ft. from service drive, travel lane, or adjacent street. Not to impede pedestrian traffic on the sidewalk.	NA
Maximum Height	25 ft – Flagpole	10 ft.	NA	10 ft	NA
Location	Allowed within the front, rear, and side setbacks provided that such structure shall not create a visual obstruction or hindrance to traffic on abutting streets	-	Building wall	If located on another property, property owner concurrence needed. No more than 1 sign shall be displayed per lot. Signs cannot impede public right-of-way. Window signs are permitted only on the first floor of the building unless the business is on the floor where the window sign is displayed.	Signs cannot impede the public right-of-way
Duration	Unlimited	Unlimited	Unlimited	45 Days	Unlimited

(1) [U.S. Code Title 36, Chapter 10, Section 174](#)

	Agenda Title:	Agenda Date:
	Comprehensive Plan Amendment (CPA) 2026-01 and Zoning Text Amendment (ZTA) 2026-01– Public Hearing and New Business	January 15 th , 2026
	Subject/Proposal/Request:	
CPA 2026-01: Application from the Town of Cape Charles to Amend page 41, <i>Accessory Dwelling Units</i> , by removing language that prohibits ADUs from being rented for less than 30 days and ZTA 2026-01: Application from the Town of Cape Charles to amend CCZO Section 4.1 (codified reference section is Ch. 32, Article IV, Section 32-91(j) to allow Accessory Dwelling Units to be used as Short Term Rentals and to add new section in Section 4.14 (codified reference section is Ch. 32, Article IV, Section 32-104) to allow for only one structure on a lot have an STR Zoning Permit per calendar year and to prohibit ADUs from the plus two occupancy allowance contained in Article IV, Section 32-104 (c) (5)		
Town of Cape Charles	Attachments:	For Council:
	1) Staff Report to Planning Commission with all listed attachments, including Resolution of Intent, Comp Plan page 41, CCZO Section 4.1 (J) (2) (a) and Section 4.14 & Zoning Text Amendment Application 2) Written Comments from Greg & Emily Gentry; Robin & Scott Sims 3) Proposed Ordinance adopting CPA 2026-01 as recommended by the Planning Commission 4) Proposed Ordinance adopting ZTA2026-01 as recommended by the Planning Commission	
	Staff Contact(s):	Reviewed by:
	Katie Nunez, Director of Planning and Zoning Administrator	Rick Keuroglan, Town Manager

PLEASE NOTE: The Zoning Ordinance Section references have been updated to show the Codified Zoning Ordinance sections. The Zoning Ordinance was codified into the Town Code and was published to the Town website on December 29, 2025. The only change from the advertised public hearing is the code section #s.

Proposed language changes are shown in RED with strikethrough for deletion and GREEN for addition of language.

Joint Public Hearing on Comprehensive Plan Amendment (CPA) 2026-01 to amend page 41 of the Cape Charles Comprehensive Plan concerning Accessory Dwelling Units and to specifically delete language that prohibits ADUs from being rented for less than 30 days; **said hearing is being done simultaneously with the hearing on Zoning Text Amendment (ZTA) 2026-01** to amend Cape Charles Zoning Ordinance Section 4.1 (now referenced in the Town Code as Chapter 32, Article IV, Section 32-91 (j))

COMPREHENSIVE PLAN AMENDMENT (CPA) 2026-01

Housing – Accessory Dwelling Units (pg.41)

The Town of Cape Charles adopted ordinances in February 2019 that permitted accessory dwelling units under certain conditions, with adequate safeguards to protect the character of the existing residential neighborhood. This strategy is intended to develop new, moderate-cost rental housing while preserving the large, older homes and allowing more flexibility for elderly homeowners to stay in their homes. Among the conditions of approval for accessory apartments is that the accessory dwelling unit be “clearly subordinate to” the main unit. This is achieved by requiring that the unit be less than a specified percentage of the original house’s square footage. ~~In addition, these units cannot be rented for less than 30 days.~~

ZONING TEXT AMENDMENT (ZTA) 2026-01

CCZO Section 4.1 (J) (2) (a) UPDATE of Section Citation as of 12/29/2025 to Chapter 32, Article IV, Section 32-91 (j) (2) (a)

*Length of Stay –An Accessory Dwelling may either be rented as a short-term rental or long-term rental; by ~~An Accessory Dwelling Unit may not be rented as a short term rental. An Accessory Dwelling Unit may be occupied by any person for no less than 30 consecutive calendar days,~~ either paying a fee for such occupancy at his/her own expense or at the expense of another ~~thirty (30) day rental or greater.~~ Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles, the owner of the subject lot of record upon which the Accessory Dwelling Unit sits shall provide occupancy documentation and/or information as requested in writing. *If an Accessory Dwelling Unit is going to be rented for less than thirty (30) days (Short-Term Rental), the Owner must comply with Section 4.14 of the Cape Charles Zoning Ordinance.**

Proposed Language to add in Section 4.14 (STRs) of the Cape Charles Zoning Ordinance UPDATE of Section Citation as of 12/29/2025 to Chapter 32, Article IV, Section 32-104

A property with a legal Accessory Dwelling Unit (ADU) in accordance with Article IV, Section 32-9 (j) may apply for only the primary dwelling unit or accessory dwelling use

to receive an annual Short Term Rental Zoning Permit; there will be no allowance for both dwelling structures to be utilized as a Short Term Rental in the same calendar year. If the ADU is applying for an STR Zoning Permit, the requirements outlined in the STR Ordinance must be met to establish # of applicable bedrooms and occupancy for the STR. The ADU is prohibited from the plus two occupancy allowance contained in Article IV, Section 32-104 (C) (5)

Background:

At the Town Council July 17, 2025 Regular Meeting, Council received a proposal from the Cape Charles Historic District Civic League to amend the Zoning Ordinance to allow Accessory Dwelling Units to be utilized as Short Term Rentals. Council agreed to take up this proposal as a future Zoning Text Amendment after referral to the Planning Commission for review and to recommend a comprehensive document that may include changes to the Comprehensive Plan as well.

The Planning Commission took this matter up at their September 22, 2025 work session where they received an inventory of accessory structures throughout the historic district which included the notations as to which of these structures were also classified as Accessory Dwelling Units.

This matter was referred back to the Town Council at their October 16, 2025 meeting where they substantially agreed to a proposed Zoning Text Amendment application but allowed staff to conduct further review and research into the accompanying, proposed Comprehensive Plan Amendment. Staff returned the proposed Comprehensive Plan amendment to Town Council at their December 18, 2025 meeting where Council finalized the CPA2026-01 text amendment and authorized staff to send both the CPA2026-01 and ZTA2026-01 to public hearing.

Item Specifics:

The Planning Commission held a public hearing on Tuesday, January 6, 2026 on both CPA2026-01 and ZTA 2026-01. Staff reviewed the process and specifics of the two items being discussed and the proposed changes to each.

Commissioner McDonald asked for clarification on staff recommendation to Town Council regarding the prohibition of “plus two” to the occupancy section of the Short Term Rental ordinance relative to the Accessory Dwelling Units.

I responded that there are three components of the Zoning Ordinance that must be followed:

- 1) Accessory Structures (garages, sheds, gazebos, etc.) - no greater than 550 square feet if the front lot frontage is less than 80 feet, which is the general rule to a legal lot in the district of 40 x 140 or 5,600 square feet. There are only requirements within this section of the ordinance (setback requirements, separation distance from the main house to the accessory structure);
- 2) Convert or build the accessory structure to an Accessory Dwelling Use (ADU) – the requirements are a) floor area not to exceed 45% of the main residence and b) one kitchen, one bathroom and one sleeping area. A kitchen does not have to have a

stove. There are different ways to qualify as to what is a kitchen. During the composition of this ordinance, we debated about bedroom vs sleeping area and it was intentional to not use the term bedroom as a result of the discussion and various examples that came forward.

3) Allow STRs in an ADU – need to look at the requirements in the STR ordinance, specifically where we use the term bedroom and we did define bedroom pursuant to the Building Code and the # of bedrooms determines the occupancy limit of the STR. Bedrooms are square footage based at 70 sq. ft for one person; for two people, total of 100 square feet) (50 ft per person), and for each additional person in that one bedroom, it will require another 50 ft.

Commissioner Ashworth asked if the staff know of any ADU that is greater than 550 square feet. I responded in the affirmative that there are some that are larger and were constructed prior to the ordinance authorizing ADUs or occurred and the Town allowed it without applying the ordinance requirements to that development.

Public hearing was called to order and the following comments were provided:

1. Claudette LaJoie, President of the Cape Charles Historic District Civic League – she provided her comments in writing as well as verbally. She stated that she is appreciative that this zoning text amendment to allow ADUs be used as STRs is advancing through the public hearing process; however, she does not support any different rules be applied to ADUs that what is allowed all other STRs in the Town, specifically referring to the prohibition on the “plus two” re: occupancy contained in this draft ZTA tonight.
2. Sam Jones, 538 Monroe Avenue – supportive of only one STR on a given property (either the main house or the ADU can be an STR in a calendar year, but not both); retain all of the elements of the Accessory Structures section of the ordinance; retain the parking requirements in the ordinance concerning ADUs. One of the fundamental questions that should be considered is whether the Town really needs any further STRs or is the market saturated at this time. He provided his comments in writing as well.

The following written comments were submitted and read into the record:

1. Greg & Emily Gentry – opposed to the “plus two” prohibition re: occupancy.
2. Robin & Scott Simms – opposed to the “plus two” prohibition re: occupancy.

An additional verbal comment was received from Scott Simms, 401 Madison Avenue. He would like the Town to consider some further language that would allow a process of administrative consideration if a medical emergency or life circumstance should arise to allow a property owner to move the STR from the primary to the ADU during the calendar year.

The chairman also recognized Greg Gentry of 542 Jefferson Avenue for an additional verbal comment – we have an ADU greater than 1,000 sq. ft (2 bedrooms, 1 ½ bath and kitchen area) and the town allowed it and everyone knows about it.

Commissioner McDonald motioned to close the public hearing and was seconded by Commissioner Holloway. Motion was carried unanimously.

Recommendation:

Planning Director Nunez asked the Planning Commission as a whole if they were generally supportive of the Zoning Text Amendment and they indicated favorably. Based upon that input, she recommended that the Planning Commission take up the Comprehensive Plan Amendment application first.

Commissioner Ashworth motioned to recommend to Town Council to pass CPA2026-01 as presented and was seconded by Commissioner McDonald. The motion was passed unanimously.

DISCUSSION ON ZTA2026-01 by the PLANNING COMMISSION

The Commission, as a whole, has no objections nor proposed changes to the Proposed Zoning Text Amendment outlined for CCZO Section 4.1 (J) (2) (a), now found in Town Code at Chapter 32, Article IV, Section 32-91 (j) (2) (a)

ZONING TEXT AMENDMENT (ZTA) 2026-01

CCZO Section 4.1 (J) (2) (a) UPDATE of Section Citation as of 12/29/2025 to Chapter 32, Article IV, Section 32-91 (j) (2) (a)

*Length of Stay –An Accessory Dwelling may either be rented as a short-term rental or long-term rental; by ~~An Accessory Dwelling Unit may not be rented as a short-term rental. An Accessory Dwelling Unit may be occupied by any person for no less than 30 consecutive calendar days,~~ either paying a fee for such occupancy at his/her own expense or at the expense of another ~~thirty (30) day rental or greater.~~ Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles, the owner of the subject lot of record upon which the Accessory Dwelling Unit sits shall provide occupancy documentation and/or information as requested in writing. *If an Accessory Dwelling Unit is going to be rented for less than thirty (30) days (Short-Term Rental), the Owner must comply with Section 4.14 of the Cape Charles Zoning Ordinance.**

Commissioner Holloway stated that the comments received during the public hearing concerning the prohibition on the “plus 2” language re: occupancy within the ADU ordinance should be deleted because of the possibility that there could be an ADU that could be applicable to the “plus 2” consideration outlined in the STR Ordinance.

Commissioner Newman concurred with Commissioner Holloway. He noted that this will probably create some gray areas for the Building Official as he conducts inspections of the ADU under the criteria and definitions contained as part of the STR ordinance since one refers to “sleeping area” whether is no definition of said term in the ordinance and one refers to “bedroom” and it is defined in the ordinance. He stated that there should probably be some criteria that the Building Official would follow to determine what is the

bedroom within the ADU space. Ms. Nunez read the entire definition of bedroom to the Commission, which is:

Bedroom is a room or space within a structure intended for sleeping. Requirements include:

- (1) A minimum size of 70 square feet; if more than one person occupies the room, there must be 50 square feet per occupant.*
- (2) Access to a bathroom without crossing another bedroom.*
- (3) Every bedroom must have access to natural ventilation and have a permanent heat source.*
- (4) Two means of egress: one that leads to the rest of the home without going through another bedroom and one that leads directly to the outside. If the outside egress is a window, it must be at least five point seven square feet (5.7 SF) and can be no more than 44 inches from the room floor, unless there is a permanent step installed. It shall be illegal to have locking bars or grates covering an egress window.*
- (5) Ceiling height must be no less than seven feet.*

Commissioner Ashworth motioned to delete the last sentence of the proposed new section as follows and was seconded by Commissioner Holloway

Proposed Language to add in Section 4.14 (STRs) of the Cape Charles Zoning Ordinance UPDATE of Section Citation as of 12/29/2025 to Chapter 32, Article IV, Section 32-104

A property with a legal Accessory Dwelling Unit (ADU) in accordance with Article IV, Section 32-9 (j) may apply for only the primary dwelling unit or accessory dwelling use to receive an annual Short Term Rental Zoning Permit; there will be no allowance for both dwelling structures to be utilized as a Short Term Rental in the same calendar year. If the ADU is applying for an STR Zoning Permit, the requirements outlined in the STR Ordinance must be met to establish # of applicable bedrooms and occupancy for the STR. ~~The ADU is prohibited from the plus two occupancy allowance contained in Article IV, Section 32-104 (C) (5)~~

The motion was passed unanimously.

Commissioner Stramm motioned to recommend to Town Council ZTA 2026-01 application to Town Council as presented for CCZO Section 4.1 (J) (2) (a), now found in Town Code at Chapter 32, Article IV, Section 32-91 (j) (2) (a) and for new section to add in Section 4.14 (STRs) of the Cape Charles Zoning Ordinance, now found in Town Code at Chapter 32, Article IV, Section 32-104 with the proposed deletion of the last sentence of "The ADU is prohibited from the plus two occupancy allowance contained in Article IV, Section 32-102 (C) (5). Commissioner Ashworth seconded and the motion was passed unanimously.

TOWN COUNCIL ACTION

Town Council is requested to hold the public hearing on both Comprehensive Plan Amendment (CPA) 2026-01 and Zoning Text Amendment (ZTA) 2026-01 and to consider the recommendation from the Planning Commission on both applications.

I have informed the Building Official of the Planning Commission recommendation on this proposed Zoning Text Amendment, and he has some concerns about implementation that he would like to raise with Town Council. He was on a scheduled absence from the office at the end of last week and was not able to get his written comments finalized for inclusion in this staff report. He will be working on that and will provide to the Town Clerk for distribution to the Town Council as soon as possible.

Staff is prepared to assist the Town Council with the development of proposed motions for both public hearing items but will have prepared the two Ordinances based upon the Planning Commission recommendations.

Gentry Public Comments

January 6, 2026

Dear Cape Charles Planning Commission,
Town Manager, and Town Council-

We are asking that the last line of the proposed text amendment be stricken-

“The ADU is prohibited from the plus two occupancy allowance contained in Section 4.14 (C) (5)”.

There is no “one size fits all” formula for ADU’s just as there isn’t for traditional homes in the Historic District. There are already guidelines in place to govern and enforce occupancy based on bedrooms and square footage for STR’s.

Thank you,
Greg and Emily Gentry
542 Jefferson Ave.

Simms Public Comments

FROM THE DESK OF:

Robin Simms

Town of Cape Charles

January 5, 2026

Dear Planning Commission / Zoning Board / Town Council Members,

I am writing to express serious concerns regarding the proposed restriction limiting accessory dwelling unit (ADU) occupancy to “plus two” residents or guests. This provision is unnecessary, overly restrictive, and appears to disproportionately target larger ADUs without a sound planning or regulatory basis.

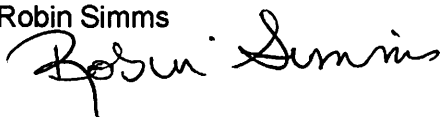
Occupancy levels are already appropriately governed through existing short-term rental (STR) ordinances, building codes, and life-safety regulations. These frameworks address guest limits, parking, noise, trash, and neighborhood impact in a comprehensive and enforceable manner. Introducing additional ADU-specific occupancy language is therefore redundant and superfluous.

More importantly, the “plus two” restriction does not account for the wide variation in ADU size, layout, or intended use. A well-designed, code-compliant ADU with adequate square footage, egress, and parking capacity should not be arbitrarily limited based solely on its classification as an ADU. This restriction effectively penalizes larger ADUs—those that are often designed to accommodate families or multigenerational living—without justification tied to health, safety, or infrastructure impacts.

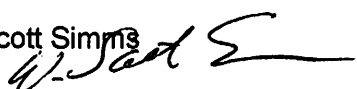
If the intent of this policy is to regulate short-term rental activity, that objective is already addressed through existing STR ordinances. Singling out ADUs through additional occupancy limits conflates land use with rental behavior, results in inequitable treatment compared to primary dwellings of similar size and capacity, and undermines the broader goals of ADU policy, including housing flexibility, aging in place, and responsible expansion of housing options.

Respectfully,

Robin Simms



W. Scott Simms



401 Madison Ave.
Cape Charles, VA

Jones Public Comments

Good Evening.

My name is Sam Jones and my wife Julie and I live at 538 Monroe Avenue. Thank you for the opportunity to speak and for your service to the Town.

As you consider whether to allow Accessory Dwelling Units to be used for short-term rental, I ask that the following current zoning requirements remain in place:

1. As recommended, zoning language be added that only one STR can exist on a given property. That is, either the primary dwelling or the ADU may be used as a STR, but not both.
2. That all aspects of **Section 4.1 E Accessory Buildings** shall continue to apply. These generally relate to building location, setbacks, size, and height.
3. That under **Section 4.1 J Accessory Dwellings**, language allowing property owners to use an accessory dwelling unit for family and personal guests by right remains in place.
4. That parking requirements remain in compliance with **Section 4.5 B 3 Off-Street Parking and Loading Standards** which state that the minimum number of off-street parking spaces required by an ADU is one off-street space per unit.

As noted, other than adding language allowing only 1 STR on a property, these requirements are currently in place and require no action by the Commission or the Town Council. Of course, a more fundamental question is whether the Town needs additional STRs within its boundaries, or is the market now saturated.

Thank you again for the opportunity to comment.



Planning Commission Staff Report

Agenda Title: **Comprehensive Plan Amendment and Zoning Text Amendment**

Agenda Date: January 6th, 2026

Prepared by: Jack Steinmayer, Zoning Compliance Officer

Reviewed By: Katie Nunez, Director of Planning/Zoning Administrator

Date: December 18th, 2025

Type of Application: Comprehensive Plan Amendment and Zoning Text Amendment

Applicant: Town of Cape Charles

Site Address NA

Tax Map: NA

Zoning: NA

Proposal: Amend page 41 of the Comprehensive Plan, *Accessory Dwelling Units*, by removing language that prohibits ADUs from being rented for less than 30 days, and amend Article IV Section 4.1 (J) (2) (a) and Section 4.14 of the Zoning Ordinance to incorporate new language to allow Accessory Dwelling Units (ADUs) to be rented as a Short-Term Rental

Legal Deadline Requirements

Date Application Received: December 18th, 2025

Date Application Deemed Complete: December 18th, 2025

For Planning Commission:

For Town Council (Directory, not Mandatory) Can act upon receipt of recommendation from Planning Commission; if PC fails to provide recommendation within the prescribed deadlines, it is deemed a favorable recommendation by the PC. Town Council max time frame is 12 months from when referred to the Planning Commission:

Background:

At the October 7th, 2025, Planning Commission Regular Meeting, the Planning Commission reviewed the proposed changes to both the Comprehensive Plan and the Cape Charles Zoning Ordinance that staff had prepared in regard to a Zoning Text Amendment presented by the Cape Charles Historic Civic League which would allow the use of Accessory Dwelling Units (ADUs) as Short-Term Rentals (STRs). Below are the changes that the Planning Commission had agreed upon.

Comprehensive Plan Change:***Housing – Accessory Dwelling Units (pg.41)***

The Town of Cape Charles adopted ordinances in February 2019 that permitted accessory dwelling units under certain conditions, with adequate safeguards to protect the character of the existing residential neighborhood. This strategy is intended to develop new, moderate-cost rental housing while preserving the large, older homes and allowing more flexibility for elderly homeowners to stay in their homes. Among the conditions of approval for accessory apartments is that the accessory dwelling unit be “clearly subordinate to” the main unit. This is achieved by requiring that the unit be less than a specified percentage of the original house’s square footage. ~~In addition, these units cannot be rented for less than 30 days.~~

Zoning Ordinance Changes:***CCZO Section 4.1 (J) (2) (a)***

*Length of Stay –An Accessory Dwelling may either be rented as a short-term rental or long-term rental; by ~~An Accessory Dwelling Unit may not be rented as a short term rental. An Accessory Dwelling Unit may be occupied by any person for no less than 30 consecutive calendar days,~~ either paying a fee for such occupancy at his/her own expense or at the expense of another ~~thirty (30) day rental or greater.~~ Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles, the owner of the subject lot of record upon which the Accessory Dwelling Unit sits shall provide occupancy documentation and/or information as requested in writing. *If an Accessory Dwelling Unit is going to be rented for less than thirty (30) days (Short-Term Rental), the Owner must comply with Section 4.14 of the Cape Charles Zoning Ordinance.**

Proposed Language to add in Section 4.14 (STRs) of the Cape Charles Zoning Ordinance

When applying for a Short-Term Rental, property owners who have an Accessory Dwelling on their property understand that only the primary dwelling or accessory dwelling will be used as an STR for that calendar year.

Staff Analysis:

After further consideration and review of the proposed changes to both the Comprehensive Plan and the Zoning Ordinance, staff would recommend that additional time be given to explore other avenues to encourage long-term rental use of Accessory Dwelling Units.

However, at the September 22nd, 2025, Planning Commission Work Session, staff indicated their opposition to allowing ADUs to be used as STRs, as they were originally approved to increase the number of smaller units available for long-term rental at a lower cost, based on their size. By amending the Comprehensive Plan and Zoning Ordinance to allow all ADUs to be utilized as STRs, the town would be reducing its already small supply of long-term rentals for those who need them.

Planning Commission Motion for Consideration:

Town staff is prepared to assist in the preparation of any proposed motion by the Planning Commission.

Attachments:

1. Resolution of Intent #20251016
2. Comprehensive Plan – pg. 41
3. Town of Cape Charles Zoning Ordinance Section 4.1 (J) (2) (a)
4. Town of Cape Charles Zoning Ordinance Section 4.14
5. Town of Cape Charles Zoning Text Amendment Application

Town of Cape Charles Zoning Text Amendment Application



Zoning Text Amendment Application

Planning & Zoning Department
 412 Tazewell Avenue
 Cape Charles, VA 23310
 757-331-3259 x30

planner@capecharles.org

Budge Code: MISPL 100-3100-1070

Revised 11/2025	
Taxes	
Violations	
Fee	
Decision	

PART 1. APPLICATION NOTES

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

PART 2: APPLICANT INFORMATION

Applicant Name: **Town of Cape Charles**

Cape Charles Address: **412 Tazewell Avenue**

Mailing Address: **412 Tazewell Avenue, Cape Charles, VA 23310**

Email address: **planner@capecharles.org**

Phone: **757-331-2036**

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

PART 3: Description of Request
 Answer all questions in this section. Attach additional sheets as needed.

Submission Date:

Zoning Ordinance Sections Proposed to be Amended (Sec. # and Title): **4.1 (J) (2) (a) & 4.14**

Existing Text: **An Accessory Dwelling Unit may not be rented as a short-term rental. An Accessory Dwelling Unit may be occupied by any person for no less than 30 consecutive calendar days, either paying a fee for such occupancy at his/her own expense or at the expense of another thirty (30) day rental or greater. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles, the owner of the subject lot of record upon which the Accessory Dwelling Unit sits shall provide occupancy documentation and/or information as requested in writing.**

Proposed Text: **An Accessory Dwelling may either be rented as a short-term rental or long-term rental;**

by either paying a fee for such occupancy at his/her own expense or at the expense of another Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles, the owner of the subject lot of record upon which the Accessory Dwelling Unit sits shall provide occupancy documentation and/or information as requested in writing. If an Accessory Dwelling Unit is going to be rented for less than thirty (30) days (Short-Term Rental), the Owner must comply with Section 4.14 of the Cape Charles Zoning Ordinance.

When applying for a Short-Term Rental, property owners who have an Accessory Dwelling on their property understand that only the primary dwelling or accessory dwelling will be used as an STR for that calendar year.

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

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

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

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

PART 5: Applicant Certification

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

Applicant’s signature: *Jim T. III* Date: 12/19/2025
 Zoning Administrator’s Signature: *Kate H. Ng* Date: 12/19/2025

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

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

Resolution of Intent

#20251016



Municipal Corp. of Cape Charles

The undersigned Clerk of the Council of the Town of Cape Charles, Virginia (the "Town"), hereby certifies that:

1. A meeting of the Council of the Town (the "Council") was duly called and held on October 16, 2025 (the "Meeting").
2. Attached hereto is a true, correct and complete copy of Resolution of Intent 20251016 (the "Resolution") of the Town entitled as recorded in full in the minutes of the Meeting, duly adopted by a majority of the members of the Council present and voting during the Meeting.
3. A summary of the members of the Council participating at the Meeting and the recorded vote with respect to the foregoing Resolution as set forth below:

Member Name	Present	Absent	Voting		
			Yes	No	Abstaining
Adam Charney, Mayor		X			
Tara Ashworth	X		X		
Andy Buchholz	X		X		
Ken Butta		X			
Paul Grossman	X		X		
Tammy Holloway	X		X		
Clayton Newman	X		X		

4. The Resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

Witness my signature and the seal of the Town of Cape Charles, Virginia this 16th day of October 2025.



Lesley Hune

 Clerk of the Council
 Town of Cape Charles, Virginia

PROPOSED COMPREHENSIVE PLAN AMENDMENT & ZONING TEXT AMENDMENT 2025-02 APPLICATION FROM TOWN OF CAPE CHARLES TO AMEND ARTICLE IV, SECTIONS 4.1(J)(2)(a) AND 4.14(B)(NEW ITEM 4)

WHEREAS, § 15.2-2286 (A) (7) of the Code of Virginia requires that amendments to a zoning ordinance shall be initiated by a resolution of the local governing body; a motion of the planning commission; or in the case of zoning district map amendments, by application of the landowner or the landowner’s authorized agent; and

WHEREAS, Section 15.2-2285 (B) of the Code of Virginia provides that no zoning ordinance shall be amended or re-enacted unless the governing body has referred the amendment or reenactment to the local planning commission for its recommendation; and

WHEREAS, the proposed Zoning Text Amendment, if approved, would not be consistent with the Town’s Comprehensive Plan; therefore a Comprehensive Plan Amendment has been recommended by the Planning Commission for Town Council to determine if they will initiate the public hearing process for this Comprehensive Plan Amendment which is proposed as follows:

Cape Charles Comprehensive Plan Changes

Housing – Accessory Dwelling Units (pg.41)

The Town of Cape Charles adopted ordinances in February 2019 that permitted accessory dwelling units under certain conditions, with adequate safeguards to protect the character of the existing residential neighborhood. This strategy is intended to develop new, moderate-cost rental housing while preserving the large, older homes and allowing more flexibility for elderly homeowners to stay in their homes. Among the conditions of approval for accessory apartments is that the accessory dwelling unit be “clearly subordinate to” the main unit. This is achieved by requiring that the unit be less than a specified percentage of the original house’s square footage. In addition, these units cannot be rented for less than 30-day length stays in order to foster longer term residences (as opposed to summer tourist related weekly rentals).

WHEREAS, the Cape Charles Town Council finds that the public necessity, convenience, general welfare, and good zoning practice requires that a zoning text amendment be considered, as a result of staff input to amend the following:

Section 4.1 (J)(2)(a): *Length of Stay –An Accessory Dwelling may either be rented as a short-term rental or long-term rental; by An Accessory Dwelling Unit may not be rented as a short-term rental. An Accessory Dwelling Unit may be occupied by any person for no less than 30 consecutive calendar days, either paying a fee for such occupancy at his/her own expense or at the expense of another thirty (30) day rental or greater. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles, the owner of the subject lot of record upon which the Accessory Dwelling Unit sits shall provide occupancy documentation and/or information as requested in writing. If an Accessory Dwelling Unit is going to be rented for less than thirty (30) days (Short-Term Rental), the Owner must comply with Section 4.14 of the Cape Charles Zoning Ordinance.*

Add new section in Section 4.14 (STRs) (B) (new item 4):

A property with a legal Accessory Dwelling Unit (ADU) in accordance with Section 4.1 (J) may apply for only the primary dwelling unit or accessory dwelling use to receive an annual Short Term Rental

Zoning Permit; there will be no allowance for both dwelling structures to be utilized as an STR Term Rental in the same calendar year.. If the ADU is applying for an STR Zoning Permit, the requirements outlined in the STR ordinance must be met to establish # of applicable bedrooms and occupancy for the STR. The ADU is prohibited from the plus two occupancy allowance contained in Section 4.14 (C) (5)

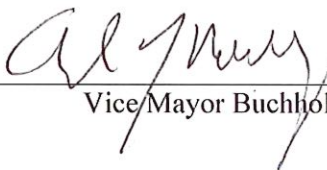
WHEREAS, said proposed revisions to Sections 4.1 & 4.14 would provide for increased opportunity for Short Term Rentals to be permissible in Accessory Dwelling Units;

WHEREAS, the Cape Charles Town Council will need to also submit a Comprehensive Plan Amendment for public hearing in advance of the Zoning Text Amendment public hearing

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 Comprehensive Plan as stated above and the Cape Charles Zoning Ordinance to amend Section 4.1 (J)(2)(a) and Section 4.14 (B)(new item 4) regarding Accessory Dwelling Units and allowing Short Term Rentals to be an allowable use in said structure type.

Said Comprehensive Plan Amendment and Zoning Text Amendment 2025-02 is referred to the Cape Charles Planning Commission to convene the requisite public hearings and public notifications, which may be done jointly between the Cape Charles Planning Commission and Cape Charles Town Council and for the Cape Charles Planning Commission to prepare its recommendation on said Comprehensive Plan Amendment and Zoning Text Amendment 2025-02 for Cape Charles Town Council’s consideration.

Adopted by the Town Council of the Town of Cape Charles on October 16, 2025

By: 
Vice Mayor Buchholz

Attest:


Town Clerk

Comprehensive Plan

Pg. 41

Housing Inventory

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

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

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

Figure 10: Housing Inventory

Housing Projections

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

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

Accessory Dwelling Units

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

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

Tenure

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

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

Figure 11: Housing Occupancy by Tenure

**Town of Cape Charles
Zoning Ordinance
Section 4.1 (J) (2) (a)**

Chain link fencing is acceptable in rear yards not facing a public street. Open mesh fencing that existed as of the effective date of this section of the Zoning Ordinance may be maintained; any new fencing must meet the requirements of this ordinance.

All fencing must be constructed with finished side facing the exterior of the property or neighbor (facing out) unless otherwise agreed upon by the adjacent property owner.

3. Commercial and Industrial Fences. Fences in commercial and industrial zones are permitted if they comply with residential fencing requirements in Section 4.1 (G) (1) and (2). In commercial and industrial zones, the Conditional Use Permit process shall be used for any non-conforming fences. Applicants shall demonstrate that the proposed fencing is consistent with the nature of and/or the security requirements of the business.
- H. Wetlands and Water Areas Excluded From Lot Areas. In calculating the area of any lot for the purpose of compliance with the minimum lot area requirements of the district regulations, wetlands, and areas outboard of the shoreline shall be excluded.
- I. Utility Lines Underground. All new utility lines such as electric, telephone, CATV, or other similar lines shall be installed underground. This requirement shall apply to lines serving individual sites as well as to utility lines necessary within a project. All junction and access boxes shall be screened with appropriate landscaping. All utility pad fixtures and meters shall be shown on the site plan. The necessity for utility connections, meter boxes, etc., should be recognized and integrated with the architectural elements of the site plan.
- J. Accessory Dwellings. One accessory dwelling may be maintained on a property in the R-1, R-2, R-3 and CR zoning districts subject to the following:
1. Physical characteristics.
 - a. Accessory dwellings shall be located in an accessory building.
 - b. Accessory dwellings shall not have a floor area exceeding forty-five percent (45%) of the floor area of the main building.
 - c. Accessory dwellings shall have one kitchen, one bathroom, and a sleeping area.
 - d. Accessory buildings shall not have the appearance of a single-family dwelling.
 2. Occupancy characteristics.
 - a. Length of stay – An Accessory Dwelling Unit may not be rented as a short- term rental. An accessory dwelling unit may be occupied by any person or persons for a period no less than thirty (30) consecutive calendar days either paying a fee for such occupancy at his own expense or at the expense of another thirty (30) day rental or

greater. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles the owner of the subject lot of record upon which the Accessory Dwelling Unit Accessory sits shall provide occupancy documentation and/or information as requested in writing.

- b. The property owner where the Accessory Dwelling Unit (ADU) is located may utilize the ADU as an overflow residential space for members of their family and guests.
3. Other requirements.
- a. Accessory dwellings located in accessory buildings may have a separate water meter from the principal dwelling.
 - b. Accessory dwellings will be required to have their own municipality issues trash receptacle, separate from the main residence/structure.
 - c. Accessory dwellings meeting the requirements of all of the physical characteristics of 4.1 (J) (1) and (2) above must obtain a Certificate of Completion for Accessory Dwellings from the Code Official, which is equivalent to a Certificate of Occupancy. In order to issue said Certificate, the Code Official will conduct an inspection to determine compliance with the Building Code.
 - d. The lot on which an accessory dwelling is located shall have the required minimum lot area for the district in which it is located.
 - e. Parking shall be in compliance with Section 4.5 using both on and off-street parking areas.
 - f. Exterior elevations shall also be approved by the Historic District Review Board when required by Article VIII, Historic Overlay.
 - g. Annual Certifications to be submitted to the Town by March 15 of each year to the Building and Planning Departments.
 - i. The property owner will submit an annual affidavit on Town Affidavit Form for Accessory Dwellings attesting to their acknowledgement and adherence to the Zoning Ordinance requirements for Accessory Dwelling Units.
 - ii. The property owner will submit an annual affidavit on Town Affidavit Form for Safety Compliance for Accessory Dwelling Units.
 - iii. If the property owner changes between March 16 and December 31 of the calendar year, the new property owner will be required to submit both a new Town Affidavit Form for Accessory Dwellings and a Town Affidavit Form for Safety Compliance for Accessory Dwelling Units no later than thirty (30) days from the property transfer.

Town of Cape Charles

Zoning Ordinance

Section 4.14

buildings should occupy the full width of their lot at the street line except in the Route 184 corridor. Freestanding “object” buildings that do not conform to the street and lot lines will not be permitted in the Mason Avenue from Harbor to Peach historic context. Where a commercial building is built adjacent to a vacant lot, it should be built with a party wall in anticipation of subsequent new construction being built adjacent and up to the property line. Probably the single most damaging siting of a commercial building is toward the rear of the lot with parking between the building and the street.

7. Utilities. Upon installation or replacement of utility access lines, such lines shall be installed underground.

Section 4.14: Short-Term Rental (STR) Regulations

A. Purpose and intent

1. The purpose and intent of this section is to regulate Short-Term Rentals (STRs). STRs are common in America today, including in the town. However, given that they are commercial uses which must co-exist with residential uses, and often in neighborhoods not designed for commercial activity, limits and regulations are needed. This article is intended to provide the requirements to allow these certain limited commercial uses in town zoning districts containing residential uses per Article III.
2. The regulations for short-term rentals are designed to accommodate an STR Owner’s and operator’s limited commercial use in a way that is safe for the guest, meets town requirements, does not change the character of the town, and fits in with the districts in which STRs operate.
3. This Section is intended to work in tandem with the town’s business license requirements as contained in the Town Code, as a measure for the town to monitor the number of STRs and enforce regulations.
4. Owners and operators are allowed a one-year (1 yr) grace period, from the date Zoning Ordinance No. 20241121 is adopted, to come into compliance, and pay the zoning permit fee. However, this grace period is not intended to limit or change existing rules, regulations, or fees, including but not limited to requirements to obtain a business license, pay taxes, and comply with the building code.

B. Permitting Requirements

1. A short-term rental unit shall not be operated until an annual business license is issued in accordance with Town Code Chapter 18, Article II by the Finance Department.
2. A short-term rental unit shall not be operated until a Short-Term Rental (STR) zoning permit is issued by the Planning Department. The application for a zoning permit will require, as a minimum, the following:
 - a. Name of owner and operator of the short-term rental property
 - b. Address of the short-term rental property
 - c. Town business license number
 - d. For operators that are a lessee or sublessee, an attestation that the property owner has granted permission for use of such property as a

short-term rental.

- e. Contact information for all owner(s), operator(s), and property management companies (if applicable), to include: names, telephone numbers, mailing addresses, and e-mail addresses. If ownership is via partnership or corporation, a list of all partners, officers, and shareholders (as appropriate) must be provided with the same contact information.
 - f. Contact information for the twenty-four (24) hour/seven (7) days a week contact who is the responsible party to address immediate concerns associated with a short-term rental, and who has the authority to act as the owner's and operator's agent.
 - g. If the property is governed by a homeowners' or condominium association, proof that authorization to operate the short-term rental was provided by the homeowners' or condominium association.
 - h. Certification that Town prepared STR training information has been reviewed annually.
 - i. Certification that adjacent property owners have been notified that an application for a STR zoning permit has been submitted.
3. Short-term rental zoning permits will be valid for one year (1 yr) and may be renewed each subsequent year, if there were no permit violations, and upon approval of the associated annual business license and re-inspection.
 4. Any change to information on the (STR) zoning permit application will require notification to the Planning Department within ten (10) business days.
 5. Any change in ownership of the property or short-term rental owner or operator will require a new application for the business license, short-term rental zoning permit, and inspection within twenty (20) business days.
 6. An owner (which includes, but is not limited to, corporations or partnerships, and entities or individuals that are stockholders, members or partners in corporations, companies, or partnerships) may only operate up to five (5) short-term rental units within the entire town.
 7. An operator is not prohibited from offering a property as a short-term rental solely on the basis that such operator is a lessee or sublessee, provided that the property owner has granted permission for such property's use as a short-term rental. However, a lessee or sublessee is limited to one (1) short-term rental within the town. An operator will be required to meet any subleasing requirements, if any, from any applicable homeowner's or condominium association.

C. Additional Requirements

1. Every short-term rental is required to submit transient occupancy tax (TOT) in accordance with [Town Code Chapter 18, Article V.](#)
2. Short-term rentals are only permitted in those districts as specified in Article III.
3. Simultaneous short-term rentals under separate contracts in the same dwelling are prohibited.

4. Commercial gatherings providing direct or indirect compensation, including but not limited to luncheons, banquets, parties, weddings, charitable fund-raising, commercial or advertising activities, or other similar occurrences are prohibited.
5. Occupancy: There shall be no more than two (2) lodgers per bedroom, plus two; with the maximum number of overnight lodgers per dwelling being no greater than ten (10). Occupancy shall not exceed any limit set by the Virginia Uniform Statewide Building Code (VA USBC) or local building official. This shall be identified as the Base Occupancy for STRs (BOSTR). For the purpose of the BOSTR, an occupant shall not include any person two years (2 yrs) of age or under.

Occupancy of greater than above may be approved, provided the property can accommodate sufficient off-street parking consisting of one (1) spot for every two (2) additional lodgers over the base occupancy for STRs (BOSTR), the property meets any other life safety requirements as may be reasonably required for such higher occupancy, and the property will not exceed the VA USBC or local building code official limitations.

The town retains the right to investigate violations and complaints of permit violations, and to periodically contact STR lodgers to determine occupancy. If town investigators determine that a violation has occurred, notice of such violation will be provided to the STR zoning permit holder or agent who will be responsible to cure the violation.

6. The business license and emergency information must be conspicuously posted inside each rental, including the twenty-four/seven (24/7) contact information for the STR responsible party.
7. Signage is to comply with Article V, Section 11.1.
8. Refuse requirements: one (1)- and two (2)-bedroom dwelling units used as short-term rental units will require one (1) trash receptacle; three (3) or more-bedroom units will require two (2) receptacles; five (5) or more bedrooms will require three (3) receptacles. Owners and operators are required to maintain the receptacles so that they do not overflow.
9. Lodgers and their guests will be required to observe noise requirements contained in [Town Code Chapter 20, Article I, Section 20-3](#).
10. Safety Equipment: Operable smoke detectors, fire extinguishers, and carbon monoxide detectors shall be present in compliance with the Virginia Uniform Statewide Building Code.
11. Under no circumstances shall the issuance of a certificate of zoning compliance (permit for short-term rental) by the Administrator (Town) be construed as abrogating, nullifying or invalidating any other provision of Federal, State or local law: any deed covenant or property right; or any homeowners' or condominium association bylaw, or rule.

D. Inspections

1. An initial inspection will be required for all short-term rentals in

accordance with [Town Code Chapter 8, Section 8-4](#).

2. An annual re-inspection by the Code Official or designee is required when filing for a short-term rental business license renewal.
3. The Building Code Official or designee maintains the right to inspect a short-term rental, based on complaints or reasonable suspicion, to verify that the rental is being operated in accordance with the Virginia Uniform Statewide Building Code, the permit, and other applicable laws and regulations.

E. Violations

1. A Short-Term Rental (STR) zoning permit may be denied for any of the following violations:
 - a. Failure to obtain/maintain a town business license
 - b. Failure to pay all town real property taxes
 - c. Failure to pay all business taxes from the prior year
 - d. Failure to file and pay (if applicable) payment of transient occupancy taxes due the town for the previous three (3) months or more
 - e. Falsifying town forms or applications
 - f. Other applicable town zoning violations
 - g. Failure to provide responsive actions to issues raised to the twenty-four seven (24/7) contacts, as determined through town investigations.
 - h. Two (2) violations of safety/building code requirements within the same calendar year, that are not cured following reasonable notice.
 - i. Two (2) violations of occupancy limits within the same calendar year, that are not cured following reasonable notice.

Reasonable notice is satisfied when an authorized town official notifies the zoning permit holder or agent of a condition violating requirements of this section, and twenty-four hours (24 hrs.) pass without resolution of the violation.

Note: individual nuisance or noise violations will be issued directly to the offending party in addition to any consequence to the zoning permit holder.

Violations may be investigated by the Town Manager, Treasurer, Zoning Administrator, Building Code Official, Police Chief or their designees as appropriate. Once investigated, violations pursuant to this section will be issued by the Zoning Administrator.

2. An owner or operator, whose Short-Term Rental (STR) zoning permit has been denied pursuant to this Section, shall not be eligible to obtain another STR zoning permit for the subject short-term rental for the entire succeeding calendar year. Thereafter, the owner or operator will be required to apply for a new business license, STR zoning permit, and an inspection.

3. Before the denial of Short-Term Rental (STR) zoning permits is made effective, the town shall give written notice to the short-term rental owner or operator as noted on the STR zoning permit. The notice of permit denial under the provisions of the section shall contain:
 - a. A description of the violations constituting the basis of the denial, suspension or revocation;
 - b. If applicable, a statement of acts necessary to correct the violation(s); and
 - c. A statement that the owner may have a right to appeal the notice of a permit denial within thirty (30) days in accordance with the [Code of Virginia Section 15.2-2311 \(A\)](#) and that the decision of permit denial shall be final and unappealable if not appealed within thirty (30) days.

Resolution 20260115A Adoption of the Town of Cape Charles Comprehensive Plan Amendment 2026-001

WHEREAS, the Code of Virginia, Title 15.2, Chapter 22, Section 15.2-2223 requires the Town of Cape Charles to prepare and recommend a Comprehensive Plan Update for the physical development of its territory, and Section 15.2-2229 provides for amendments to the Comprehensive Plan following the required public hearing by the Planning Commission and Town Council; and

WHEREAS, the Cape Charles Planning Commission reviewed the existing Comprehensive Plan and determined that an amendment to said plan was necessary relative to Accessory Dwelling Units and whether Short Term Rentals are allowed to occur in Accessory Dwelling Units; and

WHEREAS, a Public Hearing was held by the Planning Commission on January 6, 2026 regarding Comprehensive Plan Amendment application 2026-01 to delete the last sentence in the section on Page 41 titled "Housing- Accessory Dwelling Units):

COMPREHENSIVE PLAN AMENDMENT (CPA) 2026-01

Housing - Accessory Dwelling Units (pg.41)

The Town of Cape Charles adopted ordinances in February 2019 that permitted accessory dwelling units under certain conditions, with adequate safeguards to protect the character of the existing residential neighborhood. This strategy is intended to develop new, moderate-cost rental housing while preserving the large, older homes and allowing more flexibility for elderly homeowners to stay in their homes. Among the conditions of approval for accessory apartments is that the accessory dwelling unit be "clearly subordinate to" the main unit. This is achieved by requiring that the unit be less than a specified percentage of the original house's square footage. ~~In addition, these units cannot be rented for less than 30 days.~~

And the Planning Commission unanimously recommended approval of this amendment to the Comprehensive Plan;

WHEREAS, the Cape Charles Town Council held a public hearing on January 15, 2026 on regarding Comprehensive Plan Amendment application 2026-01 to delete the last sentence in the section on Page 41 titled "Housing- Accessory Dwelling Units):

COMPREHENSIVE PLAN AMENDMENT (CPA) 2026-01

Housing - Accessory Dwelling Units (pg.41)

The Town of Cape Charles adopted ordinances in February 2019 that permitted accessory dwelling units under certain conditions, with adequate safeguards to protect the character of the existing residential neighborhood. This strategy is intended to develop new, moderate-cost rental housing while preserving the large, older homes and allowing more flexibility for elderly homeowners to stay in their homes. Among the conditions of approval for accessory apartments is that the accessory dwelling unit be "clearly subordinate to" the main unit. This is achieved by requiring that the unit be less than a specified percentage of the original house's square footage. ~~In addition, these units cannot be rented for less than 30 days.~~


NOW, THEREFORE, BE IT RESOLVED that the Town Council of Cape Charles, Virginia adopts Resolution 20260115A to amend the Cape Charles Comprehensive Plan as stated above.

Adopted by the Town Council of the Town of Cape Charles on January 15, 2026.

By: _____
Mayor

ATTEST:

Town Clerk

	Agenda Title:	Agenda Date:
	Comprehensive Plan Amendment (CPA) 2026-01 and Zoning Text Amendment (ZTA) 2026-01– Public Hearing and New Business	January 15 th , 2026
Subject/Proposal/Request:		
CPA 2026-01: Application from the Town of Cape Charles to Amend page 41, <i>Accessory Dwelling Units</i> , by removing language that prohibits ADUs from being rented for less than 30 days and ZTA 2026-01: Application from the Town of Cape Charles to amend CCZO Section 4.1 (codified reference section is Ch. 32, Article IV, Section 32-91(j) to allow Accessory Dwelling Units to be used as Short Term Rentals and to add new section in Section 4.14 (codified reference section is Ch. 32, Article IV, Section 32-104) to allow for only one structure on a lot have an STR Zoning Permit per calendar year and to prohibit ADUs from the plus two occupancy allowance contained in Article IV, Section 32-104 (c) (5)		
Town of Cape Charles	Attachments:	For Council:
	1) Staff Report to Planning Commission with all listed attachments, including Resolution of Intent, Comp Plan page 41, CCZO Section 4.1 (J) (2) (a) and Section 4.14 & Zoning Text Amendment Application 2) Written Comments from Greg & Emily Gentry; Robin & Scott Sims 3) Proposed Ordinance adopting CPA 2026-01 as recommended by the Planning Commission 4) Proposed Ordinance adopting ZTA2026-01 as recommended by the Planning Commission	
	Staff Contact(s):	Reviewed by:
	Katie Nunez, Director of Planning and Zoning Administrator	Rick Keuroglan, Town Manager

PLEASE NOTE: The Zoning Ordinance Section references have been updated to show the Codified Zoning Ordinance sections. The Zoning Ordinance was codified into the Town Code and was published to the Town website on December 29, 2025. The only change from the advertised public hearing is the code section #s.

Proposed language changes are shown in RED with strikethrough for deletion and GREEN for addition of language.

Joint Public Hearing on Comprehensive Plan Amendment (CPA) 2026-01 to amend page 41 of the Cape Charles Comprehensive Plan concerning Accessory Dwelling Units and to specifically delete language that prohibits ADUs from being rented for less than 30 days; **said hearing is being done simultaneously with the hearing on Zoning Text Amendment (ZTA) 2026-01** to amend Cape Charles Zoning Ordinance Section 4.1 (now referenced in the Town Code as Chapter 32, Article IV, Section 32-91 (j))

COMPREHENSIVE PLAN AMENDMENT (CPA) 2026-01

Housing – Accessory Dwelling Units (pg.41)

The Town of Cape Charles adopted ordinances in February 2019 that permitted accessory dwelling units under certain conditions, with adequate safeguards to protect the character of the existing residential neighborhood. This strategy is intended to develop new, moderate-cost rental housing while preserving the large, older homes and allowing more flexibility for elderly homeowners to stay in their homes. Among the conditions of approval for accessory apartments is that the accessory dwelling unit be “clearly subordinate to” the main unit. This is achieved by requiring that the unit be less than a specified percentage of the original house’s square footage. ~~In addition, these units cannot be rented for less than 30 days.~~

ZONING TEXT AMENDMENT (ZTA) 2026-01

CCZO Section 4.1 (J) (2) (a) UPDATE of Section Citation as of 12/29/2025 to Chapter 32, Article IV, Section 32-91 (j) (2) (a)

*Length of Stay –An Accessory Dwelling may either be rented as a short-term rental or long-term rental; by ~~An Accessory Dwelling Unit may not be rented as a short term rental. An Accessory Dwelling Unit may be occupied by any person for no less than 30 consecutive calendar days,~~ either paying a fee for such occupancy at his/her own expense or at the expense of another ~~thirty (30) day rental or greater.~~ Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles, the owner of the subject lot of record upon which the Accessory Dwelling Unit sits shall provide occupancy documentation and/or information as requested in writing. *If an Accessory Dwelling Unit is going to be rented for less than thirty (30) days (Short-Term Rental), the Owner must comply with Section 4.14 of the Cape Charles Zoning Ordinance.**

Proposed Language to add in Section 4.14 (STRs) of the Cape Charles Zoning Ordinance UPDATE of Section Citation as of 12/29/2025 to Chapter 32, Article IV, Section 32-104

A property with a legal Accessory Dwelling Unit (ADU) in accordance with Article IV, Section 32-9 (j) may apply for only the primary dwelling unit or accessory dwelling use

to receive an annual Short Term Rental Zoning Permit; there will be no allowance for both dwelling structures to be utilized as a Short Term Rental in the same calendar year. If the ADU is applying for an STR Zoning Permit, the requirements outlined in the STR Ordinance must be met to establish # of applicable bedrooms and occupancy for the STR. The ADU is prohibited from the plus two occupancy allowance contained in Article IV, Section 32-104 (C) (5)

Background:

At the Town Council July 17, 2025 Regular Meeting, Council received a proposal from the Cape Charles Historic District Civic League to amend the Zoning Ordinance to allow Accessory Dwelling Units to be utilized as Short Term Rentals. Council agreed to take up this proposal as a future Zoning Text Amendment after referral to the Planning Commission for review and to recommend a comprehensive document that may include changes to the Comprehensive Plan as well.

The Planning Commission took this matter up at their September 22, 2025 work session where they received an inventory of accessory structures throughout the historic district which included the notations as to which of these structures were also classified as Accessory Dwelling Units.

This matter was referred back to the Town Council at their October 16, 2025 meeting where they substantially agreed to a proposed Zoning Text Amendment application but allowed staff to conduct further review and research into the accompanying, proposed Comprehensive Plan Amendment. Staff returned the proposed Comprehensive Plan amendment to Town Council at their December 18, 2025 meeting where Council finalized the CPA2026-01 text amendment and authorized staff to send both the CPA2026-01 and ZTA2026-01 to public hearing.

Item Specifics:

The Planning Commission held a public hearing on Tuesday, January 6, 2026 on both CPA2026-01 and ZTA 2026-01. Staff reviewed the process and specifics of the two items being discussed and the proposed changes to each.

Commissioner McDonald asked for clarification on staff recommendation to Town Council regarding the prohibition of “plus two” to the occupancy section of the Short Term Rental ordinance relative to the Accessory Dwelling Units.

I responded that there are three components of the Zoning Ordinance that must be followed:

- 1) Accessory Structures (garages, sheds, gazebos, etc.) - no greater than 550 square feet if the front lot frontage is less than 80 feet, which is the general rule to a legal lot in the district of 40 x 140 or 5,600 square feet. There are only requirements within this section of the ordinance (setback requirements, separation distance from the main house to the accessory structure);
- 2) Convert or build the accessory structure to an Accessory Dwelling Use (ADU) – the requirements are a) floor area not to exceed 45% of the main residence and b) one kitchen, one bathroom and one sleeping area. A kitchen does not have to have a

stove. There are different ways to qualify as to what is a kitchen. During the composition of this ordinance, we debated about bedroom vs sleeping area and it was intentional to not use the term bedroom as a result of the discussion and various examples that came forward.

3) Allow STRs in an ADU – need to look at the requirements in the STR ordinance, specifically where we use the term bedroom and we did define bedroom pursuant to the Building Code and the # of bedrooms determines the occupancy limit of the STR. Bedrooms are square footage based at 70 sq. ft for one person; for two people, total of 100 square feet) (50 ft per person), and for each additional person in that one bedroom, it will require another 50 ft.

Commissioner Ashworth asked if the staff know of any ADU that is greater than 550 square feet. I responded in the affirmative that there are some that are larger and were constructed prior to the ordinance authorizing ADUs or occurred and the Town allowed it without applying the ordinance requirements to that development.

Public hearing was called to order and the following comments were provided:

1. Claudette LaJoie, President of the Cape Charles Historic District Civic League – she provided her comments in writing as well as verbally. She stated that she is appreciative that this zoning text amendment to allow ADUs be used as STRs is advancing through the public hearing process; however, she does not support any different rules be applied to ADUs that what is allowed all other STRs in the Town, specifically referring to the prohibition on the “plus two” re: occupancy contained in this draft ZTA tonight.
2. Sam Jones, 538 Monroe Avenue – supportive of only one STR on a given property (either the main house or the ADU can be an STR in a calendar year, but not both); retain all of the elements of the Accessory Structures section of the ordinance; retain the parking requirements in the ordinance concerning ADUs. One of the fundamental questions that should be considered is whether the Town really needs any further STRs or is the market saturated at this time. He provided his comments in writing as well.

The following written comments were submitted and read into the record:

1. Greg & Emily Gentry – opposed to the “plus two” prohibition re: occupancy.
2. Robin & Scott Simms – opposed to the “plus two” prohibition re: occupancy.

An additional verbal comment was received from Scott Simms, 401 Madison Avenue. He would like the Town to consider some further language that would allow a process of administrative consideration if a medical emergency or life circumstance should arise to allow a property owner to move the STR from the primary to the ADU during the calendar year.

The chairman also recognized Greg Gentry of 542 Jefferson Avenue for an additional verbal comment – we have an ADU greater than 1,000 sq. ft (2 bedrooms, 1 ½ bath and kitchen area) and the town allowed it and everyone knows about it.

Commissioner McDonald motioned to close the public hearing and was seconded by Commissioner Holloway. Motion was carried unanimously.

Recommendation:

Planning Director Nunez asked the Planning Commission as a whole if they were generally supportive of the Zoning Text Amendment and they indicated favorably. Based upon that input, she recommended that the Planning Commission take up the Comprehensive Plan Amendment application first.

Commissioner Ashworth motioned to recommend to Town Council to pass CPA2026-01 as presented and was seconded by Commissioner McDonald. The motion was passed unanimously.

DISCUSSION ON ZTA2026-01 by the PLANNING COMMISSION

The Commission, as a whole, has no objections nor proposed changes to the Proposed Zoning Text Amendment outlined for CCZO Section 4.1 (J) (2) (a), now found in Town Code at Chapter 32, Article IV, Section 32-91 (j) (2) (a)

ZONING TEXT AMENDMENT (ZTA) 2026-01

CCZO Section 4.1 (J) (2) (a) UPDATE of Section Citation as of 12/29/2025 to Chapter 32, Article IV, Section 32-91 (j) (2) (a)

*Length of Stay –An Accessory Dwelling may either be rented as a short-term rental or long-term rental; by ~~An Accessory Dwelling Unit may not be rented as a short-term rental. An Accessory Dwelling Unit may be occupied by any person for no less than 30 consecutive calendar days,~~ either paying a fee for such occupancy at his/her own expense or at the expense of another ~~thirty (30) day rental or greater.~~ Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles, the owner of the subject lot of record upon which the Accessory Dwelling Unit sits shall provide occupancy documentation and/or information as requested in writing. *If an Accessory Dwelling Unit is going to be rented for less than thirty (30) days (Short-Term Rental), the Owner must comply with Section 4.14 of the Cape Charles Zoning Ordinance.**

Commissioner Holloway stated that the comments received during the public hearing concerning the prohibition on the “plus 2” language re: occupancy within the ADU ordinance should be deleted because of the possibility that there could be an ADU that could be applicable to the “plus 2” consideration outlined in the STR Ordinance.

Commissioner Newman concurred with Commissioner Holloway. He noted that this will probably create some gray areas for the Building Official as he conducts inspections of the ADU under the criteria and definitions contained as part of the STR ordinance since one refers to “sleeping area” whether is no definition of said term in the ordinance and one refers to “bedroom” and it is defined in the ordinance. He stated that there should probably be some criteria that the Building Official would follow to determine what is the

bedroom within the ADU space. Ms. Nunez read the entire definition of bedroom to the Commission, which is:

Bedroom is a room or space within a structure intended for sleeping. Requirements include:

- (1) A minimum size of 70 square feet; if more than one person occupies the room, there must be 50 square feet per occupant.*
- (2) Access to a bathroom without crossing another bedroom.*
- (3) Every bedroom must have access to natural ventilation and have a permanent heat source.*
- (4) Two means of egress: one that leads to the rest of the home without going through another bedroom and one that leads directly to the outside. If the outside egress is a window, it must be at least five point seven square feet (5.7 SF) and can be no more than 44 inches from the room floor, unless there is a permanent step installed. It shall be illegal to have locking bars or grates covering an egress window.*
- (5) Ceiling height must be no less than seven feet.*

Commissioner Ashworth motioned to delete the last sentence of the proposed new section as follows and was seconded by Commissioner Holloway

Proposed Language to add in Section 4.14 (STRs) of the Cape Charles Zoning Ordinance UPDATE of Section Citation as of 12/29/2025 to Chapter 32, Article IV, Section 32-104

A property with a legal Accessory Dwelling Unit (ADU) in accordance with Article IV, Section 32-9 (j) may apply for only the primary dwelling unit or accessory dwelling use to receive an annual Short Term Rental Zoning Permit; there will be no allowance for both dwelling structures to be utilized as a Short Term Rental in the same calendar year. If the ADU is applying for an STR Zoning Permit, the requirements outlined in the STR Ordinance must be met to establish # of applicable bedrooms and occupancy for the STR. ~~The ADU is prohibited from the plus two occupancy allowance contained in Article IV, Section 32-104 (C) (5)~~

The motion was passed unanimously.

Commissioner Stramm motioned to recommend to Town Council ZTA 2026-01 application to Town Council as presented for CCZO Section 4.1 (J) (2) (a), now found in Town Code at Chapter 32, Article IV, Section 32-91 (j) (2) (a) and for new section to add in Section 4.14 (STRs) of the Cape Charles Zoning Ordinance, now found in Town Code at Chapter 32, Article IV, Section 32-104 with the proposed deletion of the last sentence of "The ADU is prohibited from the plus two occupancy allowance contained in Article IV, Section 32-102 (C) (5). Commissioner Ashworth seconded and the motion was passed unanimously.

TOWN COUNCIL ACTION

Town Council is requested to hold the public hearing on both Comprehensive Plan Amendment (CPA) 2026-01 and Zoning Text Amendment (ZTA) 2026-01 and to consider the recommendation from the Planning Commission on both applications.

I have informed the Building Official of the Planning Commission recommendation on this proposed Zoning Text Amendment, and he has some concerns about implementation that he would like to raise with Town Council. He was on a scheduled absence from the office at the end of last week and was not able to get his written comments finalized for inclusion in this staff report. He will be working on that and will provide to the Town Clerk for distribution to the Town Council as soon as possible.

Staff is prepared to assist the Town Council with the development of proposed motions for both public hearing items but will have prepared the two Ordinances based upon the Planning Commission recommendations.

ORDINANCE 20260115B

**AMENDING CAPE CHARLES ZONING ORDINANCE
Chapter 32, Article IV, Section 32-91 (j) (2) (a) and Chapter 32, Article
IV, Section 32-104**

**Allowing Accessory Dwelling Units to obtain permits for Short Term
Rentals**

WHEREAS, the Cape Charles Zoning Ordinance is a compilation of ordinances establishing zoning regulations for the Town of Cape Charles and providing for the administration and enforcement of the regulations; and

WHEREAS, the Zoning Ordinance classifies the territory under the Town's jurisdictions into districts and within each district a set of regulations for the use of land, buildings, structures, and their size, construction, etc; and

WHEREAS the proposed text amendment proposes to amend the Accessory Dwelling Unit Section of the Zoning Ordinance (Chapter 32, Article IV, Section 32-91 (j) (2) (a) to allow for Accessory Dwellings to be rented as a short-term rental or long-term rental and if the rental is to be a Short-Term Rental, then it must be done in compliance with the Short-Term Rental of the Zoning Ordinance (Chapter 32, Article IV, Section 32-104 and to amend to insert a new section in the Short Term Rental Ordinance (Chapter 32, Article IV, Section 32-104) that only one structure on a lot may obtain a Short Term Rental Zoning Permit per calendar year; and

WHEREAS, pursuant to Code of Virginia §§ 15.2-2285 and 15.2-2204, after proper notice, a public hearing was held by the Planning Commission on January 6, 2026 and the Planning Commission reviewed and deliberated the proposed zoning ordinance amendment, and approved by unanimous vote, making recommendation for Town Council of ZTA2026-01 with one amendment to remove the clause that would have prohibited ADUs from the plus two occupancy allowance contained in the Short Term Rental Ordinance ; and

WHEREAS, pursuant to Code of Virginia §§ 15.2-2285 and 15.2-2204, after proper notice, a public hearing was held by the Town Council on April 10, 2025 and based upon the Staff Report to Town Council and the Planning Commission favorable recommendation to approve as requested by the applicant with the one amendment;

NOW, THEREFORE, BE IT RESOLVED that, for purposes of public necessity, convenience, general welfare or good zoning practice, the Cape Charles Zoning Ordinance be revised in compliance with ZTA2026-01 application to amend Town Code Zoning Chapter 32, Article IV, Section 32-91 (j) (2) (a) as follows:

Length of Stay –An Accessory Dwelling may either be rented as a short-term rental or long-term rental; by either paying a fee for such occupancy at his/her own expense or at the expense of another. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles, the owner of the subject lot of record upon which the Accessory Dwelling Unit sits shall provide occupancy documentation and/or information as requested in writing. If an Accessory Dwelling Unit is going to be rented for less than thirty (30) days (Short-Term Rental), the Owner must comply with Section 4.14 (newly Codified Section Reference is Chapter 32, Article IV, Section 32-104) of the Cape Charles Zoning Ordinance.

And to add a new item in Town Code Zoning Chapter 32, Article IV, Section 32-104

A property with a legal Accessory Dwelling Unit (ADU) in accordance with Chapter IV, Section 32-9 (j) may apply for only the primary dwelling unit or accessory dwelling use to receive an annual Short Term Rental Zoning Permit; there will be no allowance for both dwelling structures to be utilized as a Short Term Rental in the same calendar year. If the ADU is applying for an STR Zoning Permit, the requirements outlined in the STR Ordinance must be met to establish # of applicable bedrooms and occupancy for the STR.

Said Ordinance amendment to become effective immediately.

Adopted by the Town Council of the Town of Cape Charles on January 15, 2026.

By: _____
Mayor Charney

Attest:

Town Clerk

Gentry Public Comments

January 6, 2026

Dear Cape Charles Planning Commission,
Town Manager, and Town Council-

We are asking that the last line of the proposed text amendment be stricken-

“The ADU is prohibited from the plus two occupancy allowance contained in Section 4.14 (C) (5)”.

There is no “one size fits all” formula for ADU’s just as there isn’t for traditional homes in the Historic District. There are already guidelines in place to govern and enforce occupancy based on bedrooms and square footage for STR’s.

Thank you,
Greg and Emily Gentry
542 Jefferson Ave.

Simms Public Comments

FROM THE DESK OF:

Robin Simms

Town of Cape Charles

January 5, 2026

Dear Planning Commission / Zoning Board / Town Council Members,

I am writing to express serious concerns regarding the proposed restriction limiting accessory dwelling unit (ADU) occupancy to “plus two” residents or guests. This provision is unnecessary, overly restrictive, and appears to disproportionately target larger ADUs without a sound planning or regulatory basis.

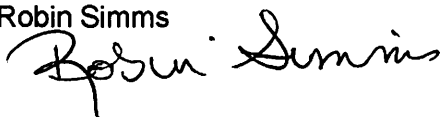
Occupancy levels are already appropriately governed through existing short-term rental (STR) ordinances, building codes, and life-safety regulations. These frameworks address guest limits, parking, noise, trash, and neighborhood impact in a comprehensive and enforceable manner. Introducing additional ADU-specific occupancy language is therefore redundant and superfluous.

More importantly, the “plus two” restriction does not account for the wide variation in ADU size, layout, or intended use. A well-designed, code-compliant ADU with adequate square footage, egress, and parking capacity should not be arbitrarily limited based solely on its classification as an ADU. This restriction effectively penalizes larger ADUs—those that are often designed to accommodate families or multigenerational living—without justification tied to health, safety, or infrastructure impacts.

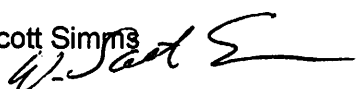
If the intent of this policy is to regulate short-term rental activity, that objective is already addressed through existing STR ordinances. Singling out ADUs through additional occupancy limits conflates land use with rental behavior, results in inequitable treatment compared to primary dwellings of similar size and capacity, and undermines the broader goals of ADU policy, including housing flexibility, aging in place, and responsible expansion of housing options.

Respectfully,

Robin Simms



W. Scott Simms



401 Madison Ave.
Cape Charles, VA

Jones Public Comments

Good Evening.

My name is Sam Jones and my wife Julie and I live at 538 Monroe Avenue. Thank you for the opportunity to speak and for your service to the Town.

As you consider whether to allow Accessory Dwelling Units to be used for short-term rental, I ask that the following current zoning requirements remain in place:

1. As recommended, zoning language be added that only one STR can exist on a given property. That is, either the primary dwelling or the ADU may be used as a STR, but not both.
2. That all aspects of **Section 4.1 E Accessory Buildings** shall continue to apply. These generally relate to building location, setbacks, size, and height.
3. That under **Section 4.1 J Accessory Dwellings**, language allowing property owners to use an accessory dwelling unit for family and personal guests by right remains in place.
4. That parking requirements remain in compliance with **Section 4.5 B 3 Off-Street Parking and Loading Standards** which state that the minimum number of off-street parking spaces required by an ADU is one off-street space per unit.

As noted, other than adding language allowing only 1 STR on a property, these requirements are currently in place and require no action by the Commission or the Town Council. Of course, a more fundamental question is whether the Town needs additional STRs within its boundaries, or is the market now saturated.

Thank you again for the opportunity to comment.



Planning Commission Staff Report

Agenda Title: **Comprehensive Plan Amendment and Zoning Text Amendment**

Agenda Date: January 6th, 2026

Prepared by: Jack Steinmayer, Zoning Compliance Officer

Reviewed By: Katie Nunez, Director of Planning/Zoning Administrator

Date: December 18th, 2025

Type of Application: Comprehensive Plan Amendment and Zoning Text Amendment

Applicant: Town of Cape Charles

Site Address NA

Tax Map: NA

Zoning: NA

Proposal: Amend page 41 of the Comprehensive Plan, *Accessory Dwelling Units*, by removing language that prohibits ADUs from being rented for less than 30 days, and amend Article IV Section 4.1 (J) (2) (a) and Section 4.14 of the Zoning Ordinance to incorporate new language to allow Accessory Dwelling Units (ADUs) to be rented as a Short-Term Rental

Legal Deadline Requirements

Date Application Received: December 18th, 2025

Date Application Deemed Complete: December 18th, 2025

For Planning Commission:

For Town Council (Directory, not Mandatory) Can act upon receipt of recommendation from Planning Commission; if PC fails to provide recommendation within the prescribed deadlines, it is deemed a favorable recommendation by the PC. Town Council max time frame is 12 months from when referred to the Planning Commission:

Background:

At the October 7th, 2025, Planning Commission Regular Meeting, the Planning Commission reviewed the proposed changes to both the Comprehensive Plan and the Cape Charles Zoning Ordinance that staff had prepared in regard to a Zoning Text Amendment presented by the Cape Charles Historic Civic League which would allow the use of Accessory Dwelling Units (ADUs) as Short-Term Rentals (STRs). Below are the changes that the Planning Commission had agreed upon.

Comprehensive Plan Change:***Housing – Accessory Dwelling Units (pg.41)***

The Town of Cape Charles adopted ordinances in February 2019 that permitted accessory dwelling units under certain conditions, with adequate safeguards to protect the character of the existing residential neighborhood. This strategy is intended to develop new, moderate-cost rental housing while preserving the large, older homes and allowing more flexibility for elderly homeowners to stay in their homes. Among the conditions of approval for accessory apartments is that the accessory dwelling unit be “clearly subordinate to” the main unit. This is achieved by requiring that the unit be less than a specified percentage of the original house’s square footage. ~~In addition, these units cannot be rented for less than 30 days.~~

Zoning Ordinance Changes:***CCZO Section 4.1 (J) (2) (a)***

*Length of Stay –An Accessory Dwelling may either be rented as a short-term rental or long-term rental; by ~~An Accessory Dwelling Unit may not be rented as a short term rental. An Accessory Dwelling Unit may be occupied by any person for no less than 30 consecutive calendar days,~~ either paying a fee for such occupancy at his/her own expense or at the expense of another ~~thirty (30) day rental or greater.~~ Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles, the owner of the subject lot of record upon which the Accessory Dwelling Unit sits shall provide occupancy documentation and/or information as requested in writing. *If an Accessory Dwelling Unit is going to be rented for less than thirty (30) days (Short-Term Rental), the Owner must comply with Section 4.14 of the Cape Charles Zoning Ordinance.**

Proposed Language to add in Section 4.14 (STRs) of the Cape Charles Zoning Ordinance

When applying for a Short-Term Rental, property owners who have an Accessory Dwelling on their property understand that only the primary dwelling or accessory dwelling will be used as an STR for that calendar year.

Staff Analysis:

After further consideration and review of the proposed changes to both the Comprehensive Plan and the Zoning Ordinance, staff would recommend that additional time be given to explore other avenues to encourage long-term rental use of Accessory Dwelling Units.

However, at the September 22nd, 2025, Planning Commission Work Session, staff indicated their opposition to allowing ADUs to be used as STRs, as they were originally approved to increase the number of smaller units available for long-term rental at a lower cost, based on their size. By amending the Comprehensive Plan and Zoning Ordinance to allow all ADUs to be utilized as STRs, the town would be reducing its already small supply of long-term rentals for those who need them.

Planning Commission Motion for Consideration:

Town staff is prepared to assist in the preparation of any proposed motion by the Planning Commission.

Attachments:

1. Resolution of Intent #20251016
2. Comprehensive Plan – pg. 41
3. Town of Cape Charles Zoning Ordinance Section 4.1 (J) (2) (a)
4. Town of Cape Charles Zoning Ordinance Section 4.14
5. Town of Cape Charles Zoning Text Amendment Application

Town of Cape Charles Zoning Text Amendment Application



Zoning Text Amendment Application

Planning & Zoning Department
 412 Tazewell Avenue
 Cape Charles, VA 23310
 757-331-3259 x30

planner@capecharles.org

Budge Code: MISPL 100-3100-1070

Revised 11/2025	
Taxes	
Violations	
Fee	
Decision	

PART 1. APPLICATION NOTES

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

PART 2: APPLICANT INFORMATION

Applicant Name: **Town of Cape Charles**

Cape Charles Address: **412 Tazewell Avenue**

Mailing Address: **412 Tazewell Avenue, Cape Charles, VA 23310**

Email address: **planner@capecharles.org**

Phone: **757-331-2036**

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

PART 3: Description of Request
 Answer all questions in this section. Attach additional sheets as needed.

Submission Date:

Zoning Ordinance Sections Proposed to be Amended (Sec. # and Title): **4.1 (J) (2) (a) & 4.14**

Existing Text: **An Accessory Dwelling Unit may not be rented as a short-term rental. An Accessory Dwelling Unit may be occupied by any person for no less than 30 consecutive calendar days, either paying a fee for such occupancy at his/her own expense or at the expense of another thirty (30) day rental or greater. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles, the owner of the subject lot of record upon which the Accessory Dwelling Unit sits shall provide occupancy documentation and/or information as requested in writing.**

Proposed Text: **An Accessory Dwelling may either be rented as a short-term rental or long-term rental;**

by either paying a fee for such occupancy at his/her own expense or at the expense of another Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles, the owner of the subject lot of record upon which the Accessory Dwelling Unit sits shall provide occupancy documentation and/or information as requested in writing. If an Accessory Dwelling Unit is going to be rented for less than thirty (30) days (Short-Term Rental), the Owner must comply with Section 4.14 of the Cape Charles Zoning Ordinance.

When applying for a Short-Term Rental, property owners who have an Accessory Dwelling on their property understand that only the primary dwelling or accessory dwelling will be used as an STR for that calendar year.

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

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

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

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

PART 5: Applicant Certification

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

Applicant’s signature: *[Signature]* Date: 12/19/2025
 Zoning Administrator’s Signature: *[Signature]* Date: 12/19/2025

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

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

Resolution of Intent

#20251016



Municipal Corp. of Cape Charles

The undersigned Clerk of the Council of the Town of Cape Charles, Virginia (the "Town"), hereby certifies that:

1. A meeting of the Council of the Town (the "Council") was duly called and held on October 16, 2025 (the "Meeting").
2. Attached hereto is a true, correct and complete copy of Resolution of Intent 20251016 (the "Resolution") of the Town entitled as recorded in full in the minutes of the Meeting, duly adopted by a majority of the members of the Council present and voting during the Meeting.
3. A summary of the members of the Council participating at the Meeting and the recorded vote with respect to the foregoing Resolution as set forth below:

Member Name	Present	Absent	Voting		
			Yes	No	Abstaining
Adam Charney, Mayor		X			
Tara Ashworth	X		X		
Andy Buchholz	X		X		
Ken Butta		X			
Paul Grossman	X		X		
Tammy Holloway	X		X		
Clayton Newman	X		X		

4. The Resolution has not been repealed, revoked, rescinded or amended and is in full force and effect on the date hereof.

Witness my signature and the seal of the Town of Cape Charles, Virginia this 16th day of October 2025.



Lesley Hune

 Clerk of the Council
 Town of Cape Charles, Virginia

PROPOSED COMPREHENSIVE PLAN AMENDMENT & ZONING TEXT AMENDMENT 2025-02 APPLICATION FROM TOWN OF CAPE CHARLES TO AMEND ARTICLE IV, SECTIONS 4.1(J)(2)(a) AND 4.14(B)(NEW ITEM 4)

WHEREAS, § 15.2-2286 (A) (7) of the Code of Virginia requires that amendments to a zoning ordinance shall be initiated by a resolution of the local governing body; a motion of the planning commission; or in the case of zoning district map amendments, by application of the landowner or the landowner’s authorized agent; and

WHEREAS, Section 15.2-2285 (B) of the Code of Virginia provides that no zoning ordinance shall be amended or re-enacted unless the governing body has referred the amendment or reenactment to the local planning commission for its recommendation; and

WHEREAS, the proposed Zoning Text Amendment, if approved, would not be consistent with the Town’s Comprehensive Plan; therefore a Comprehensive Plan Amendment has been recommended by the Planning Commission for Town Council to determine if they will initiate the public hearing process for this Comprehensive Plan Amendment which is proposed as follows:

Cape Charles Comprehensive Plan Changes

Housing – Accessory Dwelling Units (pg.41)

The Town of Cape Charles adopted ordinances in February 2019 that permitted accessory dwelling units under certain conditions, with adequate safeguards to protect the character of the existing residential neighborhood. This strategy is intended to develop new, moderate-cost rental housing while preserving the large, older homes and allowing more flexibility for elderly homeowners to stay in their homes. Among the conditions of approval for accessory apartments is that the accessory dwelling unit be “clearly subordinate to” the main unit. This is achieved by requiring that the unit be less than a specified percentage of the original house’s square footage. In addition, these units cannot be rented for less than 30-day length stays in order to foster longer term residences (as opposed to summer tourist related weekly rentals).

WHEREAS, the Cape Charles Town Council finds that the public necessity, convenience, general welfare, and good zoning practice requires that a zoning text amendment be considered, as a result of staff input to amend the following:

Section 4.1 (J)(2)(a): *Length of Stay –An Accessory Dwelling may either be rented as a short-term rental or long-term rental; by ~~An Accessory Dwelling Unit may not be rented as a short-term rental. An Accessory Dwelling Unit may be occupied by any person for no less than 30 consecutive calendar days,~~ either paying a fee for such occupancy at his/her own expense or at the expense of another ~~thirty (30) day rental or greater.~~ Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles, the owner of the subject lot of record upon which the Accessory Dwelling Unit sits shall provide occupancy documentation and/or information as requested in writing. If an Accessory Dwelling Unit is going to be rented for less than thirty (30) days (Short-Term Rental), the Owner must comply with Section 4.14 of the Cape Charles Zoning Ordinance.*

Add new section in Section 4.14 (STRs) (B) (new item 4):

A property with a legal Accessory Dwelling Unit (ADU) in accordance with Section 4.1 (J) may apply for only the primary dwelling unit or accessory dwelling use to receive an annual Short Term Rental

Zoning Permit; there will be no allowance for both dwelling structures to be utilized as an STR Term Rental in the same calendar year.. If the ADU is applying for an STR Zoning Permit, the requirements outlined in the STR ordinance must be met to establish # of applicable bedrooms and occupancy for the STR. The ADU is prohibited from the plus two occupancy allowance contained in Section 4.14 (C) (5)

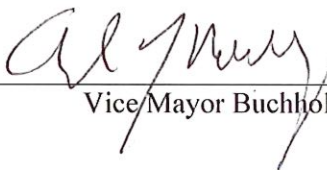
WHEREAS, said proposed revisions to Sections 4.1 & 4.14 would provide for increased opportunity for Short Term Rentals to be permissible in Accessory Dwelling Units;

WHEREAS, the Cape Charles Town Council will need to also submit a Comprehensive Plan Amendment for public hearing in advance of the Zoning Text Amendment public hearing

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 Comprehensive Plan as stated above and the Cape Charles Zoning Ordinance to amend Section 4.1 (J)(2)(a) and Section 4.14 (B)(new item 4) regarding Accessory Dwelling Units and allowing Short Term Rentals to be an allowable use in said structure type.

Said Comprehensive Plan Amendment and Zoning Text Amendment 2025-02 is referred to the Cape Charles Planning Commission to convene the requisite public hearings and public notifications, which may be done jointly between the Cape Charles Planning Commission and Cape Charles Town Council and for the Cape Charles Planning Commission to prepare its recommendation on said Comprehensive Plan Amendment and Zoning Text Amendment 2025-02 for Cape Charles Town Council’s consideration.

Adopted by the Town Council of the Town of Cape Charles on October 16, 2025

By: 
Vice Mayor Buchholz

Attest:


Town Clerk

Comprehensive Plan

Pg. 41

Housing Inventory

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

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

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

Figure 10: Housing Inventory

Housing Projections

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

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

Accessory Dwelling Units

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

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

Tenure

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

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

Figure 11: Housing Occupancy by Tenure

**Town of Cape Charles
Zoning Ordinance
Section 4.1 (J) (2) (a)**

Chain link fencing is acceptable in rear yards not facing a public street. Open mesh fencing that existed as of the effective date of this section of the Zoning Ordinance may be maintained; any new fencing must meet the requirements of this ordinance.

All fencing must be constructed with finished side facing the exterior of the property or neighbor (facing out) unless otherwise agreed upon by the adjacent property owner.

3. Commercial and Industrial Fences. Fences in commercial and industrial zones are permitted if they comply with residential fencing requirements in Section 4.1 (G) (1) and (2). In commercial and industrial zones, the Conditional Use Permit process shall be used for any non-conforming fences. Applicants shall demonstrate that the proposed fencing is consistent with the nature of and/or the security requirements of the business.
- H. Wetlands and Water Areas Excluded From Lot Areas. In calculating the area of any lot for the purpose of compliance with the minimum lot area requirements of the district regulations, wetlands, and areas outboard of the shoreline shall be excluded.
- I. Utility Lines Underground. All new utility lines such as electric, telephone, CATV, or other similar lines shall be installed underground. This requirement shall apply to lines serving individual sites as well as to utility lines necessary within a project. All junction and access boxes shall be screened with appropriate landscaping. All utility pad fixtures and meters shall be shown on the site plan. The necessity for utility connections, meter boxes, etc., should be recognized and integrated with the architectural elements of the site plan.
- J. Accessory Dwellings. One accessory dwelling may be maintained on a property in the R-1, R-2, R-3 and CR zoning districts subject to the following:
1. Physical characteristics.
 - a. Accessory dwellings shall be located in an accessory building.
 - b. Accessory dwellings shall not have a floor area exceeding forty-five percent (45%) of the floor area of the main building.
 - c. Accessory dwellings shall have one kitchen, one bathroom, and a sleeping area.
 - d. Accessory buildings shall not have the appearance of a single-family dwelling.
 2. Occupancy characteristics.
 - a. Length of stay – An Accessory Dwelling Unit may not be rented as a short- term rental. An accessory dwelling unit may be occupied by any person or persons for a period no less than thirty (30) consecutive calendar days either paying a fee for such occupancy at his own expense or at the expense of another thirty (30) day rental or

greater. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles the owner of the subject lot of record upon which the Accessory Dwelling Unit Accessory sits shall provide occupancy documentation and/or information as requested in writing.

- b. The property owner where the Accessory Dwelling Unit (ADU) is located may utilize the ADU as an overflow residential space for members of their family and guests.
3. Other requirements.
- a. Accessory dwellings located in accessory buildings may have a separate water meter from the principal dwelling.
 - b. Accessory dwellings will be required to have their own municipality issues trash receptacle, separate from the main residence/structure.
 - c. Accessory dwellings meeting the requirements of all of the physical characteristics of 4.1 (J) (1) and (2) above must obtain a Certificate of Completion for Accessory Dwellings from the Code Official, which is equivalent to a Certificate of Occupancy. In order to issue said Certificate, the Code Official will conduct an inspection to determine compliance with the Building Code.
 - d. The lot on which an accessory dwelling is located shall have the required minimum lot area for the district in which it is located.
 - e. Parking shall be in compliance with Section 4.5 using both on and off-street parking areas.
 - f. Exterior elevations shall also be approved by the Historic District Review Board when required by Article VIII, Historic Overlay.
 - g. Annual Certifications to be submitted to the Town by March 15 of each year to the Building and Planning Departments.
 - i. The property owner will submit an annual affidavit on Town Affidavit Form for Accessory Dwellings attesting to their acknowledgement and adherence to the Zoning Ordinance requirements for Accessory Dwelling Units.
 - ii. The property owner will submit an annual affidavit on Town Affidavit Form for Safety Compliance for Accessory Dwelling Units.
 - iii. If the property owner changes between March 16 and December 31 of the calendar year, the new property owner will be required to submit both a new Town Affidavit Form for Accessory Dwellings and a Town Affidavit Form for Safety Compliance for Accessory Dwelling Units no later than thirty (30) days from the property transfer.

Town of Cape Charles

Zoning Ordinance

Section 4.14

buildings should occupy the full width of their lot at the street line except in the Route 184 corridor. Freestanding “object” buildings that do not conform to the street and lot lines will not be permitted in the Mason Avenue from Harbor to Peach historic context. Where a commercial building is built adjacent to a vacant lot, it should be built with a party wall in anticipation of subsequent new construction being built adjacent and up to the property line. Probably the single most damaging siting of a commercial building is toward the rear of the lot with parking between the building and the street.

7. Utilities. Upon installation or replacement of utility access lines, such lines shall be installed underground.

Section 4.14: Short-Term Rental (STR) Regulations

A. Purpose and intent

1. The purpose and intent of this section is to regulate Short-Term Rentals (STRs). STRs are common in America today, including in the town. However, given that they are commercial uses which must co-exist with residential uses, and often in neighborhoods not designed for commercial activity, limits and regulations are needed. This article is intended to provide the requirements to allow these certain limited commercial uses in town zoning districts containing residential uses per Article III.
2. The regulations for short-term rentals are designed to accommodate an STR Owner’s and operator’s limited commercial use in a way that is safe for the guest, meets town requirements, does not change the character of the town, and fits in with the districts in which STRs operate.
3. This Section is intended to work in tandem with the town’s business license requirements as contained in the Town Code, as a measure for the town to monitor the number of STRs and enforce regulations.
4. Owners and operators are allowed a one-year (1 yr) grace period, from the date Zoning Ordinance No. 20241121 is adopted, to come into compliance, and pay the zoning permit fee. However, this grace period is not intended to limit or change existing rules, regulations, or fees, including but not limited to requirements to obtain a business license, pay taxes, and comply with the building code.

B. Permitting Requirements

1. A short-term rental unit shall not be operated until an annual business license is issued in accordance with Town Code Chapter 18, Article II by the Finance Department.
2. A short-term rental unit shall not be operated until a Short-Term Rental (STR) zoning permit is issued by the Planning Department. The application for a zoning permit will require, as a minimum, the following:
 - a. Name of owner and operator of the short-term rental property
 - b. Address of the short-term rental property
 - c. Town business license number
 - d. For operators that are a lessee or sublessee, an attestation that the property owner has granted permission for use of such property as a

- short-term rental.
- e. Contact information for all owner(s), operator(s), and property management companies (if applicable), to include: names, telephone numbers, mailing addresses, and e-mail addresses. If ownership is via partnership or corporation, a list of all partners, officers, and shareholders (as appropriate) must be provided with the same contact information.
 - f. Contact information for the twenty-four (24) hour/seven (7) days a week contact who is the responsible party to address immediate concerns associated with a short-term rental, and who has the authority to act as the owner's and operator's agent.
 - g. If the property is governed by a homeowners' or condominium association, proof that authorization to operate the short-term rental was provided by the homeowners' or condominium association.
 - h. Certification that Town prepared STR training information has been reviewed annually.
 - i. Certification that adjacent property owners have been notified that an application for a STR zoning permit has been submitted.
3. Short-term rental zoning permits will be valid for one year (1 yr) and may be renewed each subsequent year, if there were no permit violations, and upon approval of the associated annual business license and re-inspection.
 4. Any change to information on the (STR) zoning permit application will require notification to the Planning Department within ten (10) business days.
 5. Any change in ownership of the property or short-term rental owner or operator will require a new application for the business license, short-term rental zoning permit, and inspection within twenty (20) business days.
 6. An owner (which includes, but is not limited to, corporations or partnerships, and entities or individuals that are stockholders, members or partners in corporations, companies, or partnerships) may only operate up to five (5) short-term rental units within the entire town.
 7. An operator is not prohibited from offering a property as a short-term rental solely on the basis that such operator is a lessee or sublessee, provided that the property owner has granted permission for such property's use as a short-term rental. However, a lessee or sublessee is limited to one (1) short-term rental within the town. An operator will be required to meet any subleasing requirements, if any, from any applicable homeowner's or condominium association.

C. Additional Requirements

1. Every short-term rental is required to submit transient occupancy tax (TOT) in accordance with [Town Code Chapter 18, Article V.](#)
2. Short-term rentals are only permitted in those districts as specified in Article III.
3. Simultaneous short-term rentals under separate contracts in the same dwelling are prohibited.

4. Commercial gatherings providing direct or indirect compensation, including but not limited to luncheons, banquets, parties, weddings, charitable fund-raising, commercial or advertising activities, or other similar occurrences are prohibited.
5. Occupancy: There shall be no more than two (2) lodgers per bedroom, plus two; with the maximum number of overnight lodgers per dwelling being no greater than ten (10). Occupancy shall not exceed any limit set by the Virginia Uniform Statewide Building Code (VA USBC) or local building official. This shall be identified as the Base Occupancy for STRs (BOSTR). For the purpose of the BOSTR, an occupant shall not include any person two years (2 yrs) of age or under.

Occupancy of greater than above may be approved, provided the property can accommodate sufficient off-street parking consisting of one (1) spot for every two (2) additional lodgers over the base occupancy for STRs (BOSTR), the property meets any other life safety requirements as may be reasonably required for such higher occupancy, and the property will not exceed the VA USBC or local building code official limitations.

The town retains the right to investigate violations and complaints of permit violations, and to periodically contact STR lodgers to determine occupancy. If town investigators determine that a violation has occurred, notice of such violation will be provided to the STR zoning permit holder or agent who will be responsible to cure the violation.

6. The business license and emergency information must be conspicuously posted inside each rental, including the twenty-four/seven (24/7) contact information for the STR responsible party.
7. Signage is to comply with Article V, Section 11.1.
8. Refuse requirements: one (1)- and two (2)-bedroom dwelling units used as short-term rental units will require one (1) trash receptacle; three (3) or more-bedroom units will require two (2) receptacles; five (5) or more bedrooms will require three (3) receptacles. Owners and operators are required to maintain the receptacles so that they do not overflow.
9. Lodgers and their guests will be required to observe noise requirements contained in [Town Code Chapter 20, Article I, Section 20-3](#).
10. Safety Equipment: Operable smoke detectors, fire extinguishers, and carbon monoxide detectors shall be present in compliance with the Virginia Uniform Statewide Building Code.
11. Under no circumstances shall the issuance of a certificate of zoning compliance (permit for short-term rental) by the Administrator (Town) be construed as abrogating, nullifying or invalidating any other provision of Federal, State or local law: any deed covenant or property right; or any homeowners' or condominium association bylaw, or rule.

D. Inspections

1. An initial inspection will be required for all short-term rentals in

accordance with [Town Code Chapter 8, Section 8-4](#).

2. An annual re-inspection by the Code Official or designee is required when filing for a short-term rental business license renewal.
3. The Building Code Official or designee maintains the right to inspect a short-term rental, based on complaints or reasonable suspicion, to verify that the rental is being operated in accordance with the Virginia Uniform Statewide Building Code, the permit, and other applicable laws and regulations.

E. Violations

1. A Short-Term Rental (STR) zoning permit may be denied for any of the following violations:
 - a. Failure to obtain/maintain a town business license
 - b. Failure to pay all town real property taxes
 - c. Failure to pay all business taxes from the prior year
 - d. Failure to file and pay (if applicable) payment of transient occupancy taxes due the town for the previous three (3) months or more
 - e. Falsifying town forms or applications
 - f. Other applicable town zoning violations
 - g. Failure to provide responsive actions to issues raised to the twenty-four seven (24/7) contacts, as determined through town investigations.
 - h. Two (2) violations of safety/building code requirements within the same calendar year, that are not cured following reasonable notice.
 - i. Two (2) violations of occupancy limits within the same calendar year, that are not cured following reasonable notice.

Reasonable notice is satisfied when an authorized town official notifies the zoning permit holder or agent of a condition violating requirements of this section, and twenty-four hours (24 hrs.) pass without resolution of the violation.

Note: individual nuisance or noise violations will be issued directly to the offending party in addition to any consequence to the zoning permit holder.

Violations may be investigated by the Town Manager, Treasurer, Zoning Administrator, Building Code Official, Police Chief or their designees as appropriate. Once investigated, violations pursuant to this section will be issued by the Zoning Administrator.

2. An owner or operator, whose Short-Term Rental (STR) zoning permit has been denied pursuant to this Section, shall not be eligible to obtain another STR zoning permit for the subject short-term rental for the entire succeeding calendar year. Thereafter, the owner or operator will be required to apply for a new business license, STR zoning permit, and an inspection.

3. Before the denial of Short-Term Rental (STR) zoning permits is made effective, the town shall give written notice to the short-term rental owner or operator as noted on the STR zoning permit. The notice of permit denial under the provisions of the section shall contain:
 - a. A description of the violations constituting the basis of the denial, suspension or revocation;
 - b. If applicable, a statement of acts necessary to correct the violation(s); and
 - c. A statement that the owner may have a right to appeal the notice of a permit denial within thirty (30) days in accordance with the [Code of Virginia Section 15.2-2311 \(A\)](#) and that the decision of permit denial shall be final and unappealable if not appealed within thirty (30) days.



Municipal Corp. of Cape Charles

Memo

To: Rick Keuroglan

From: Jeb Brady, Code Official *JJB*

Date: January 14, 2026

RE: ADU/STR occupancy considerations

Accessory Dwelling Units is a relatively new concept in Cape Charles when council passed an ordinance a few years ago to allow them but only for long-term tenants. Many of the structures that were built with that intention are designed as such with a small footprint living area. Some have an open concept with the living/sleeping/cooking area all open and some have defined bedrooms with walls and doors. These structures were never built to accommodate more than 2 people except for a couple of non-conforming ADU's that have multiple bedrooms per definition.

Bedroom is a room or space within a structure intended for sleeping.

Requirements include:

- (1) A minimum size of 70 square feet; if more than one person occupies the room, there must be 50 square feet per occupant.
- (2) Access to a bathroom without crossing another bedroom.
- (3) Every bedroom must have access to natural ventilation and have a permanent heat source.
- (4) **Two means of egress: one that leads to the rest of the home without going through another bedroom and one that leads directly to the outside.** If the outside egress is a window, it must be at least five point seven square feet (5.7 SF) and can be no more than 44 inches from the room floor, unless there is a permanent step installed. It shall be illegal to have locking bars or grates covering an egress window.
- (5) Ceiling height must be no less than seven feet

Below are some examples of constructed Accessory Dwelling Units

Example 1 is a 440 square foot unit comprised of a kitchen/dining, living/sleeping area and a 40 square foot bathroom. While you ponder the allowance of the plus 2 I would like for you to consider how this will be enforceable from a code standpoint. As the Building Code/Zoning Ordinance reads a minimum of 50 square foot space per occupant in the bedroom area is required when serving more than 1 person. This creates a real gray area for enforcement purposes in determining what is the measurable sleeping area square footage vs what is the living and kitchen area. What determines the square footage of the sleeping area?

Example 2 is a 336 square foot unit comprised of a living/kitchen area, bathroom, and a 100 square foot bedroom. This example would only allow 2 people as-built due to the square footage of the existing bedroom and per the definition of a bedroom the living area could not be counted as another bedroom.

Example 3 is a 576 square foot unit comprised of a living room, kitchen, bathroom, and 144 square foot bedroom. This example would only allow 2 people as built due to the square footage of the existing bedroom and per the definition of a bedroom the living area could not be counted as another bedroom.

Example 4 is a 432 square foot unit comprised of a living room, kitchen, bathroom, and a 120 square foot bedroom. This example would only allow 2 people as built due to the square footage of the existing bedroom and per the definition of a bedroom the living area could not be counted as another bedroom.

I understand there is an existing ADU that has multiple bedrooms and when Katie and I had discussions about the plus 2 concept it was never intended that a 2 bedroom unit could not sleep 4 it was simply that the examples above could not comply with the 2 per bedroom plus 2 as these units were never designed or intended to sleep that amount of people.

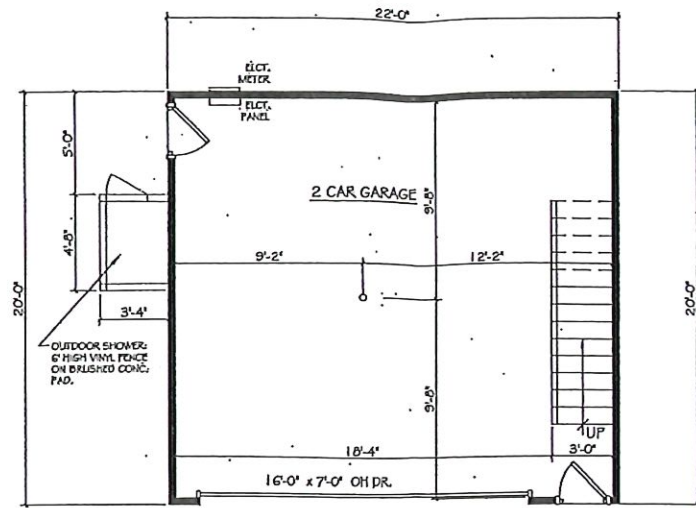
The purpose of the Building Code and the job of the Code Official is to protect the health and safety of the citizens and visitors of this community with the provisions necessary to prevent overcrowding. As I am also a first responder

safety is my number one concern and overcrowding accessory dwelling units will only increase the chances of injuries or death.

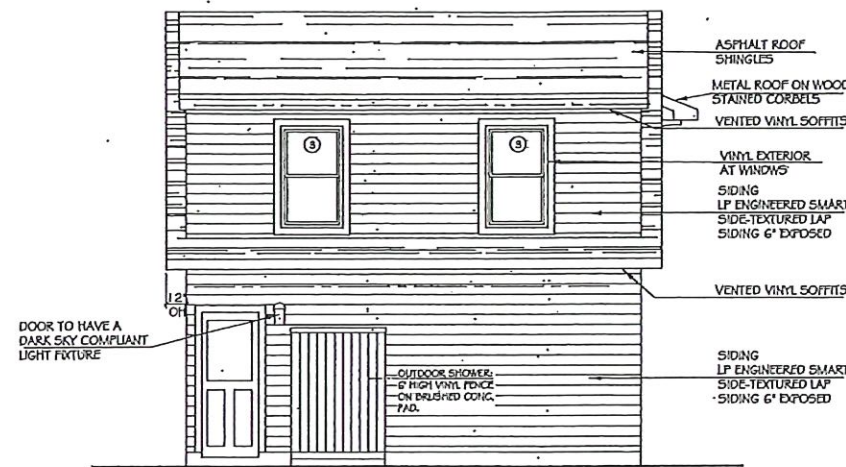
Determining square footage requirements are clear when the bedroom is a separate room in the ADU but remains a very gray area when the space is one big open room. The argument would be the fact that what appears to be part of the kitchen the owner may say is part of the sleeping area/bedroom. This simply creates criteria that could be interpreted differently and would not create a consistency that we are trying to obtain along with all The Town's STR regulations.

In the same way that we would not allow a +2 with a home that has all of the bedrooms at 100sqft, why grant an ADU a benefit of the +2 when the ADU bedroom doesn't meet the requirement? I know there are exceptions, but ADU's were not designed for more than 2 people, in fact, they were designed to be a Mother-in-law suite, a bonus room for a family member, an efficiency space for a family member...not to be a space to potentially house 4 adult people.

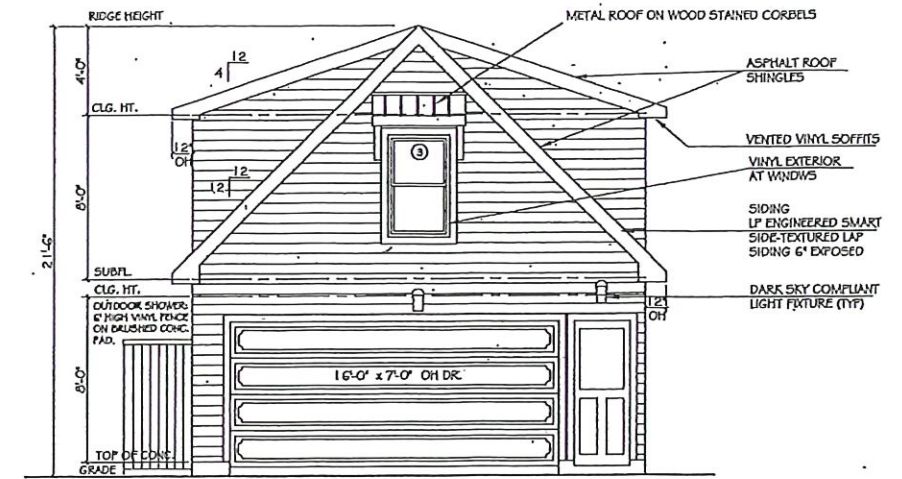
My consistent recommendation would be to limit 2 occupants per bedroom/sleeping area regardless of the amount of square footage and not allow the +2.



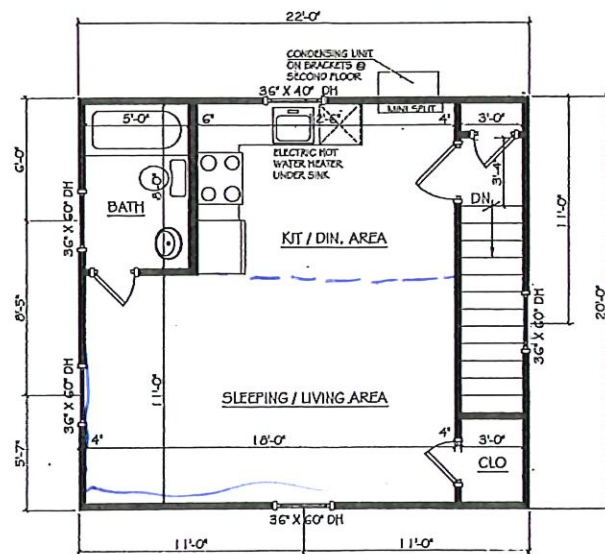
GARAGE FLOOR PLAN
SCALE: 1/4" = 1'-0" (440 S.F.)



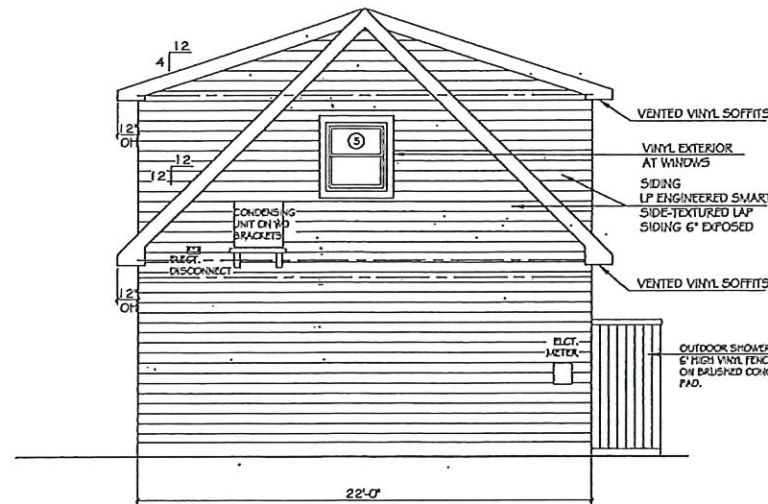
LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



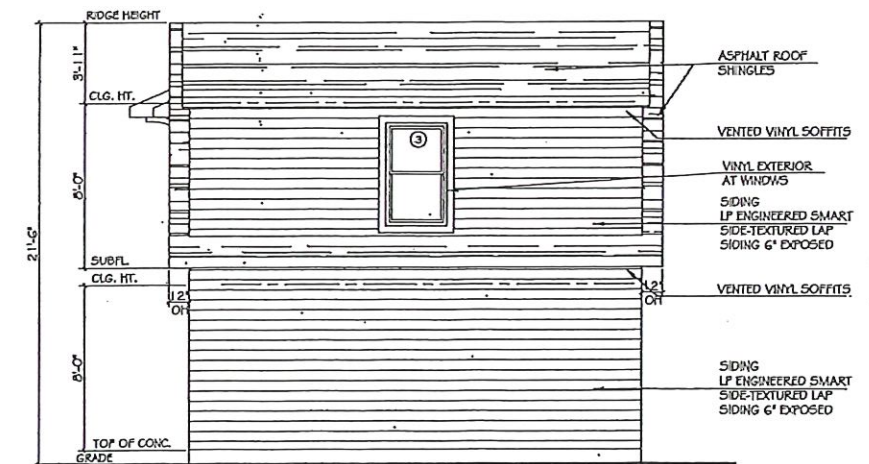
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0" (440 S.F.)
ACCESSORY DWELLING UNIT



REAR ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"


537 JEFFERSON AVENUE #1

- TYPICAL NOTES:**
- ALL EXTERIOR LIGHTING FIXTURES TO BE DARK SKY COMPLIANT
 - ALL CORBELS ON HOUSE AND GARAGE WILL BE STAINED WOOD.
 - ALL FASCIAS TO BE CAFFED IN METAL
 - ALL HAND RAILINGS ARE ALUMINUM. SPINDLES @ 4" O.C. ARE SQUARE ALUMINUM.
 - ALL WINDOWS AND DOORS TO HAVE 5/4 X 4" TRIM WITH METAL CAP.
 - PROVIDE GUTTERS AND LEADERS @ ALL ROOF EAVES AND PROVIDE CORNER RETURNS TO SIDE WALLS AND DOWN SPOUT TO ALL APPLICABLE LOCATIONS.

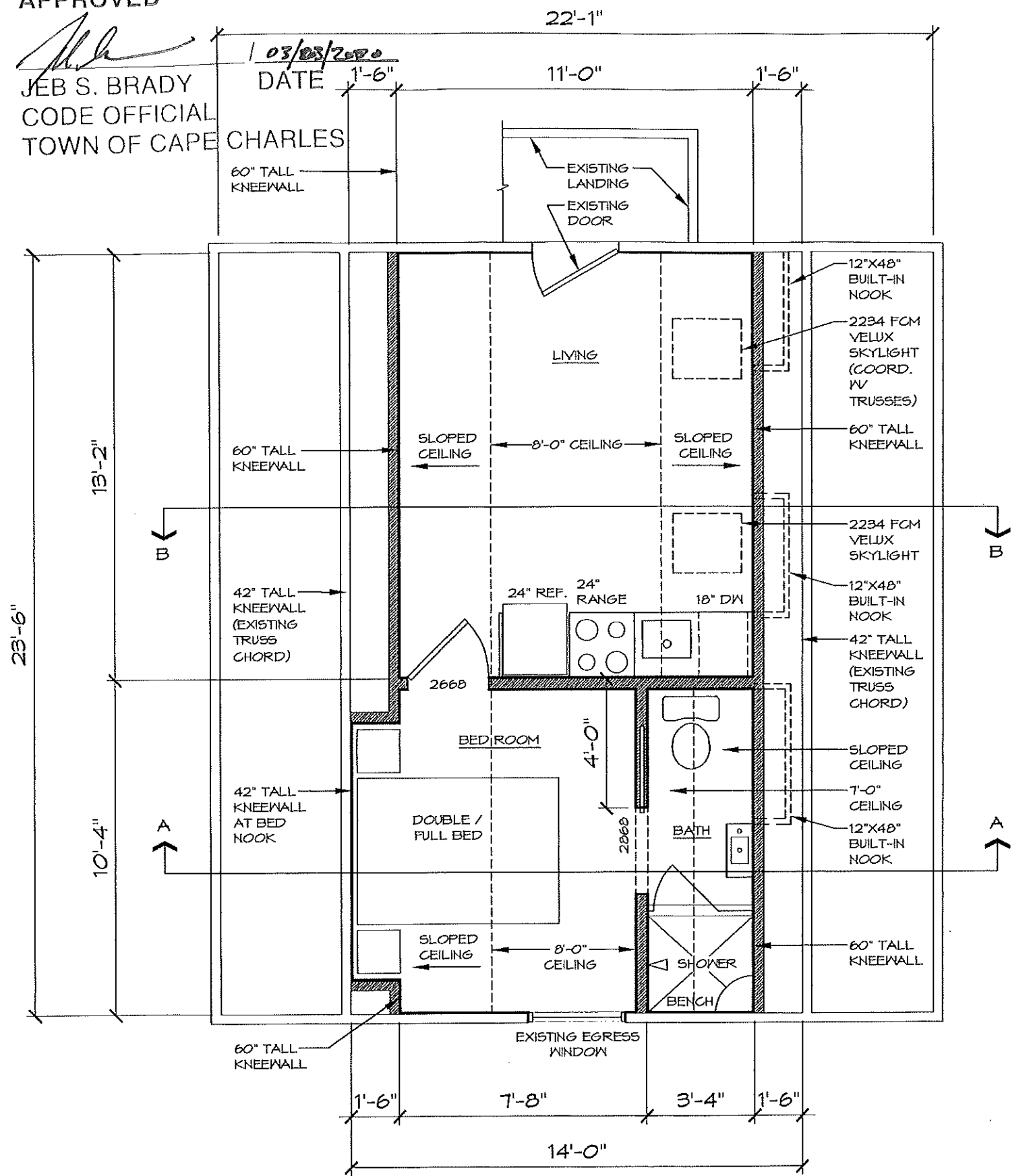
FLOOR AREAS:

GARAGE FLOOR :	440 S.F.
ACCESSORY DWELL. UNIT:	440 S.F.
TOTAL:	880 S.F.

PREPARED FOR: PATRICIA ARNDT	NEW RESIDENCE:	DATE: 10/20/23 SCALE: 1/4"=1'-0" PROJ. NO. 23.16
THOMAS D. REILLY, P.E. 4 BEZEL LANE, SMITHTOWN, NY (631) 724-5740 TDRPE@TDRPE.com	LOCATION: JEFFERSON AVENUE CAPE CHARLES, VA	SHEET NO. 3 OF 3

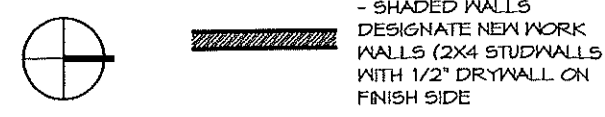
APPROVED

 JEB S. BRADY
 CODE OFFICIAL
 TOWN OF CAPE CHARLES

DATE 03/23/2020



FLOOR PLAN

SCALE: 1/4" = 1'-0" (11 x 17 DRAWING SHEET)



- INSULATION NOTES:**
1. ALL WORK SHALL CONFORM TO THE 2015 INTERNATIONAL RESIDENTIAL CODE (IRC) AND THE 2015 VIRGINIA CONSTRUCTION CODE, AND ALL OTHER APPLICABLE NATIONAL, STATE, AND LOCAL BUILDING CODES AND ORDINANCES. CODE REFERENCES ON PLANS REFLECT THE 2015 IRC.
 2. MECHANICAL VENTILATION MUST BE PROVIDED FOR BATHROOMS, WATER CLOSET COMPARTMENTS AND OTHER SIMILAR ROOMS WHERE A WINDOW WITH AGGREGATE GLAZING AREA NOT LESS THAN 3 SQUARE FEET WITH ONE-HALF OPENABLE IS NOT PROVIDED. IRC R303.4
 3. BATHTUB AND SHOWER FLOORS AND WALLS ABOVE BATHTUBS WITH INSTALLED SHOWER HEADS AND IN SHOWER COMPARTMENTS SHALL BE FINISHED WITH A NONABSORBENT SURFACE. SUCH WALL SURFACE SHALL EXTEND TO A HEIGHT OF NOT LESS THAN SIX FEET ABOVE THE FLOOR. IRC R307.2. USE OF WATER-RESISTANT GYPSUM BACKING BOARD SHALL BE PERMITTED ON CEILING WHERE FRAMING SPACING DOES NOT EXCEED 12" O/C FOR 1/2" THICK OR 16" O/C FOR 5/8" THICK GYPSUM WALL BOARD. WATER RESISTANT GYPSUM WALL BOARD SHALL NOT BE INSTALLED OVER A VAPOR RETARDER IN A SHOWER OR TUB COMPARTMENT. CUT OR EXPOSED EDGES, INCLUDING THOSE AT WALL INTERSECTIONS, SHALL BE SEALED AS REQUIRED BY THE MANUFACTURER.
 4. THE ENDS OF EACH JOIST, BEAM OR GIRDER SHALL NOT HAVE LESS THAN 1.5 INCHES OF BEARING ON WOOD OR METAL AND NOT LESS THAN 3 INCHES ON MASONRY OR CONCRETE EXCEPT WHERE SUPPORTED ON A 1X4 RIBBON STRIP NAILED TO THE ADJACENT STUD OR BY THE USE OF APPROVED JOIST HANGERS.
 5. MINIMUM FINISHED WALL WIDTH SHALL BE 36" PER IRC 311.6.
 6. HABITABLE ROOMS LIGHT AND VENTILATION PER IRC R303.1.
 7. MINIMUM FINISHED HABITABLE ROOMS SIZE PER IRC R304.1 AND 2.
 8. PLUMBING FIXTURE CLEARANCES SHALL BE PER IRC F R307.1.
 9. MINIMUM EGRESS DOOR CLEAR WIDTH PER IRC R311.2.
 10. A FIRE EXTINGUISHER WITH A RATING OF 2A:10B:C SHALL BE INSTALLED IN THE KITCHEN AREA IN ACCORDANCE WITH IRC R328.1.

- ARCHITECTURAL NOTES:**
1. EXTERIOR DIMENSIONS ARE MEASURED TO THE FOLLOWING SURFACES:
 - a. WALLS - TO FACE OF SHEATHING, U.O.N.
 - b. COLUMNS - CENTERLINE
 - c. DOORS & WINDOWS - CENTERLINE AND/OR ROUGH OPENING
 2. INTERIOR DIMENSIONS ARE MEASURED TO THE FOLLOWING SURFACES:
 - a. WALLS - FACE OF FRAMING
 - b. DOOR JAMBS - FRAMING
 - c. DOORS & WINDOWS - CENTERLINE AND/OR ROUGH OPENING

- WOOD FRAMING NOTES:**
1. ALL STUD FRAMING: SPF, GRADE 2 OR BETTER. STUD GRADE MATERIAL IS NOT ACCEPTED.
 2. ALL FRAMING LUMBER: #2 SOUTHERN YELLOW PINE OR BETTER. THIS INCLUDES ROOF RAFTERS, CEILING JOISTS, FLOOR FRAMING, SILL BEAMS, FLOOR GIRDERS, AND HEADERS.
 3. LAMINATED BEAMS, IF OCCURRING, SHALL BE GANG LAM BEAMS AS MANUFACTURED BY TRUSS JOIST MEYERHAUSER OR APPROVED EQUAL. THE CONTRACTOR SHALL SUBMIT CATALOG DATA AND LOAD TABLES FOR ANY SUBSTITUTIONS.
 4. ALL LUMBER IN CONTACT WITH CONCRETE, MASONRY OR STEEL SHALL BE PRESSURE PRESERVATIVE TREATED (P.P.T.).
 5. GENERAL CONTRACTOR AND FRAMER ARE TO THOROUGHLY COORDINATE ELECTRICAL DEVICE LOCATIONS WITH FRAMING MEMBER LOCATIONS. SEE FRAMING & ELECTRICAL PLANS.
 6. ALL HEADERS SHALL BE 2 - 2 X 8s SYP NO.2, UNLESS OTHERWISE NOTED.
 7. INTERIOR WALL STUDS SHALL BE 2X4s AT 16" O/C, UNLESS OTHERWISE NOTED.

- WINDOWS AND DOORS:**
- ALL EXTERIOR WINDOWS AND DOORS ARE EXISTING AND SHALL REMAIN.
- ALL SLEEPING AREAS SHALL BE PROVIDED WITH AT LEAST ONE WINDOW THAT MEETS MINIMUM EGRESS WIDTH OF 5.7 SF PER IRC 310.2.1


- ELECTRICAL NOTES:**
1. PROVIDE A COMPLETE ELECTRICAL WIRING SYSTEM THAT MEETS ALL CURRENT CODES AND INCLUDES ALL EQUIPMENT; KITCHEN APPLIANCES, AND HVAC EQUIPMENT.
 2. COORDINATE ELECTRICAL REQUIREMENTS WITH SUBCONTRACTORS (I.E. HVAC, PLUMBING, SECURITY) AND PROVIDE REQUIRED WIRING.
 3. ALL WIRING SHALL BE COPPER, SIZED PER N.E.C. CODE. LABEL ALL DISCONNECT SWITCHES, SWITCHBOARDS, AND PANELBOARDS.
 4. LOW-VOLTAGE CIRCUITS SUCH AS TELEPHONE AND CABLE TV ARE BY SPECIALTY CONTRACTOR. GENERAL CONTRACTOR TO COORDINATE W/ OTHER TRADES.
 5. SMOKE ALARMS SHALL BE PROVIDED IN ACCORDANCE WITH UL 217 AND SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:
 - IN EACH SLEEPING ROOM.
 - OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF EACH SLEEPING ROOM.
 - ALARMS SHALL BE INTERCONNECTED IN ACCORDANCE WITH SECTION R314.4 OF THE IRC.

- GENERAL PLUMBING NOTES:**
- ALL STACKS & VENT PIPES SHALL BE ON THE BACK SIDE OF THE MAIN ROOF SO AS NOT TO BE VISIBLE FROM THE FRONT OF THE HOUSE.
 - SOIL, WASTE, DRAIN, & VENT PIPING SHALL MEET THE CURRENT CODES. INSULATE ALL PIPES IN WALLS AND CEILINGS.
 - WATER PIPING SHALL BE COPPER AND SHALL MEET THE CURRENT CODES. PROVIDE EXPANSION FITTING TO PREVENT WATER HAMMER.

- HVAC:**
1. HVAC IS TO BE DESIGN/BUILD BY CONTRACTOR.

- PAINTING SCHEDULE:**
1. PAINT AND PRIMER TO BE TOP QUALITY COATING MANUFACTURED BY SHERWIN WILLIAMS OR BENJAMIN MOORE.
 2. INTERIOR TRIM
 - 1ST COAT - PRIME COAT
 - 2ND/3RD COAT - INTERIOR LATEX ENAMEL; SEMI-GLOSS; BRUSH APPLIED
 3. INTERIOR DRYWALL/PLASTER:
 - 1ST COAT - PRIME COAT
 - 2ND/3RD COAT - INTERIOR LATEX ENAMEL; ROLLER APPLIED - NO HOLIDAYS
 - CEILINGS - SATIN
 - WALLS - SATIN
 - HALF BATH - TWO SHEEN LEVELS ABOVE FLAT
 4. COLOR SELECTION - VERIFY COLORS WITH OWNER.
- PROVIDE SAMPLES ON ALL PAINTED SURFACES FOR OWNER'S APPROVAL PRIOR TO PAINTING.

McNAUGHTON architecture
 757.754.4460
 sbm@mcnaughtonarch.com
 www.mcnaughtonarch.com

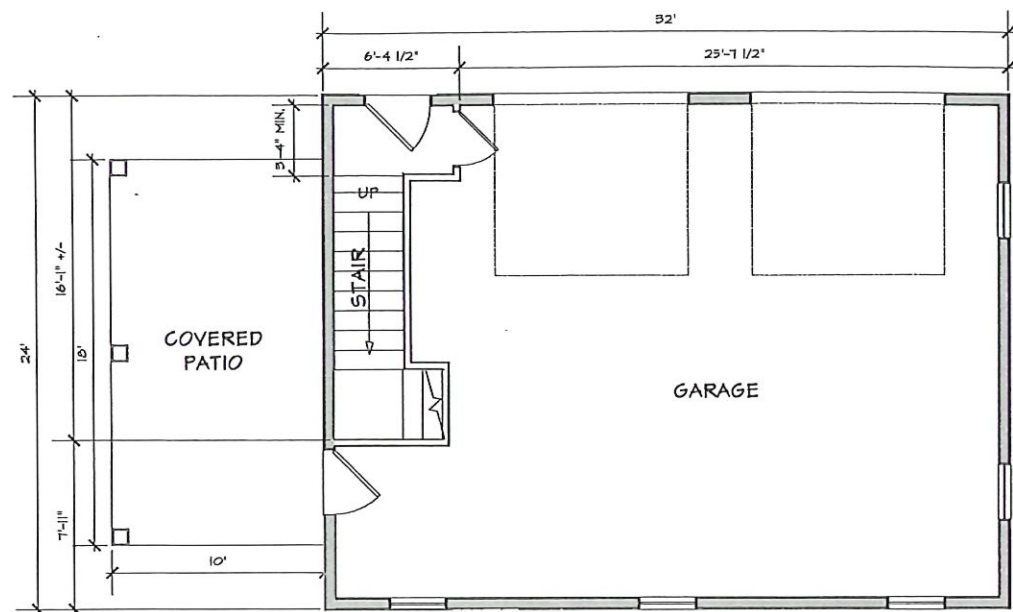


McLAUGHLIN GARAGE BUILD-OUT
 9 PARK ROW - CAPE CHARLES, VIRGINIA
 FLOOR PLAN

DATE:
 FEBRUARY 11, 2020

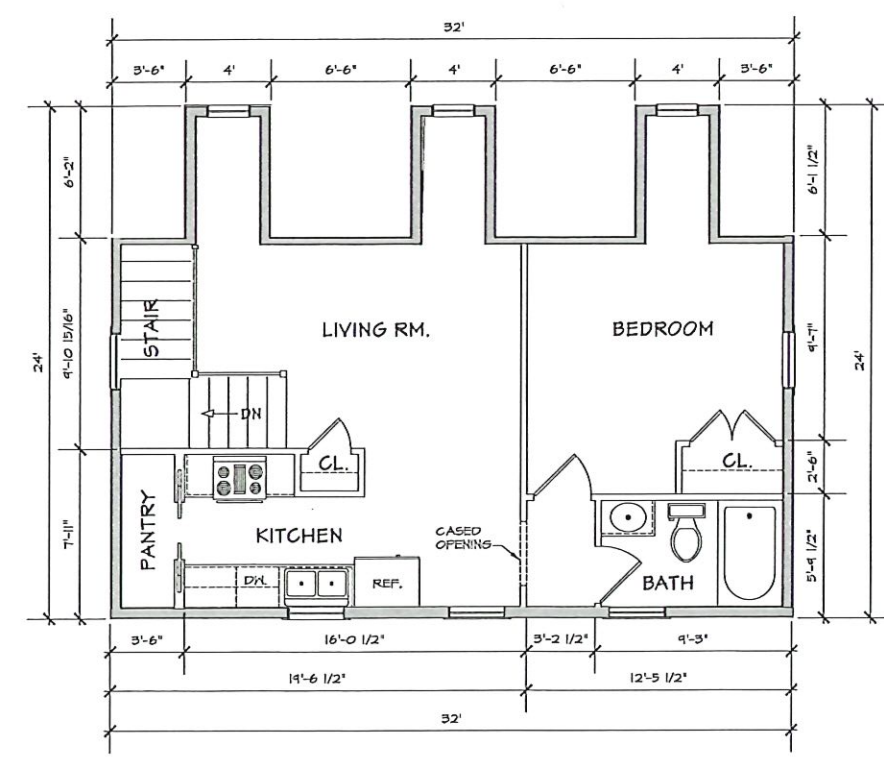
SHEET

A1.1



GARAGE FLOOR PLAN

SCALE: 1/4" = 1'-0"

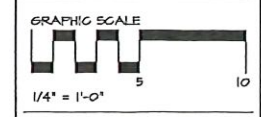


GARAGE UPPER FLOOR PLAN

SCALE: 1/4" = 1'-0"



PLAN REFERENCE NORTH



DESIGN DEVELOPMENT
 DRAFTING & DESIGN SERVICES LLC
 PO BOX 155
 ONANCOCK VA 23417
 757-109-8101
 dsdevelopment@live.com
 www.dsdevelopment.net

DAVIDSON RESIDENCE
 ADDITIONS & ALTERATIONS
 211 MADISON AVENUE
 CAPE CHARLES VIRGINIA 23310

SHEET 3 OF 6
 PREPARED BY KAM
 DATE: JULY 25 2022

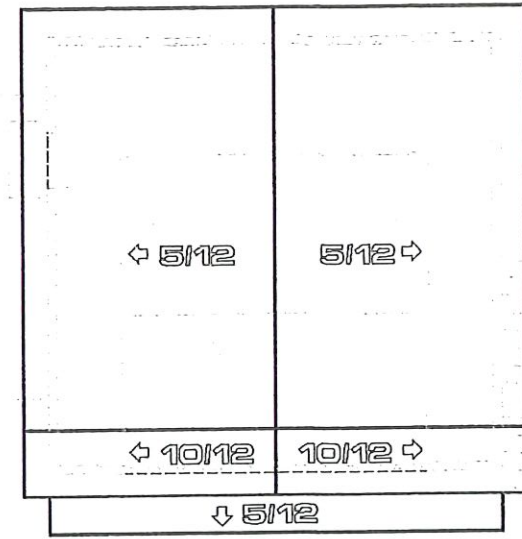
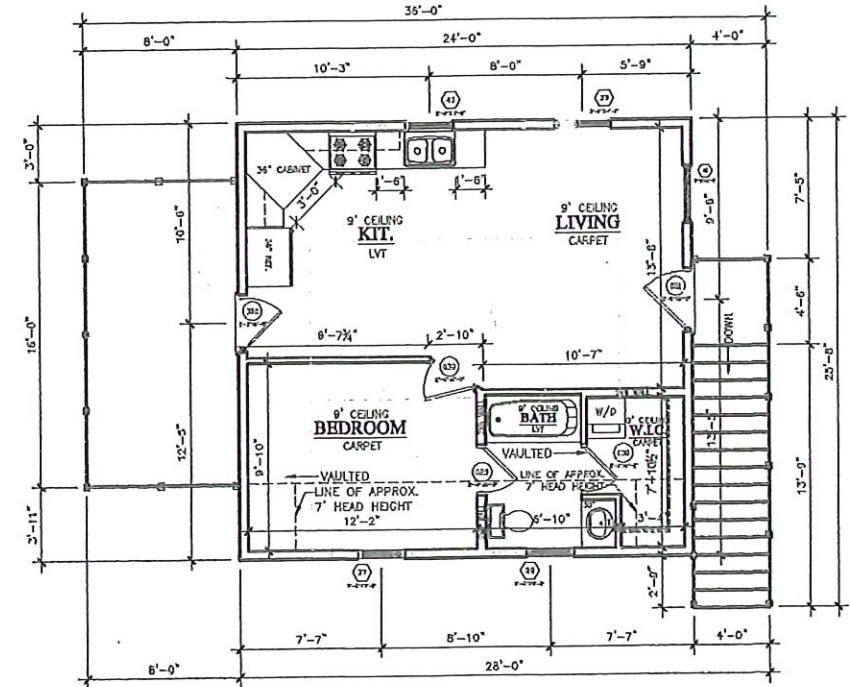
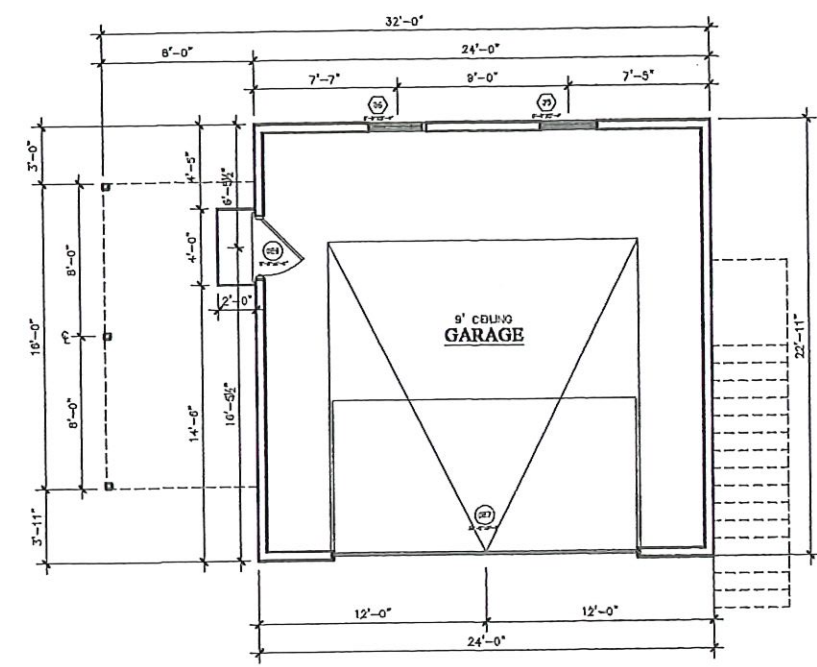
211 MADISON AVENUE

#3

- NOTES:**
- IT IS THE RESPONSIBILITY OF THE OWNER AND OR BUILDER TO VERIFY ALL DIMENSIONS AND DETAILS PRIOR TO CONSTRUCTION.
 - THESE PLANS ARE INTENDED FOR USE BY AN EXPERIENCED BUILDER.
 - AN INEXPERIENCED BUILDER MAY NEED TO CONSULT OTHER PROFESSIONALS SUCH AS AN ENGINEER AND OR OTHER CONSULTANTS.
 - USE OF THIS PLAN CONSTITUTES ACCEPTANCE OF THESE TERMS.
 - ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 - 2x4 WALLS ARE 9 1/2" AND 2x6 WALLS ARE 15 1/2".
 - THIS PLAN HAS NOT BEEN ENGINEERED. SEE ENGINEERED PLAN BY OTHERS.
 - THIS PLAN IS COPYRIGHTED BY ALLDRAFT UNLESS NOTED OTHERWISE - COPYRIGHT © 2019
 - UNAUTHORIZED USE OF THESE PLANS IS PROHIBITED BY LAW - E.U.C.A. 1919

REVISIONS

A	03-01-2022
B	03-22-2022
C	04-07-2022
D	07-06-2022
E	08-05-2023
F	
G	
H	



DOOR AND FRAME SCHEDULE

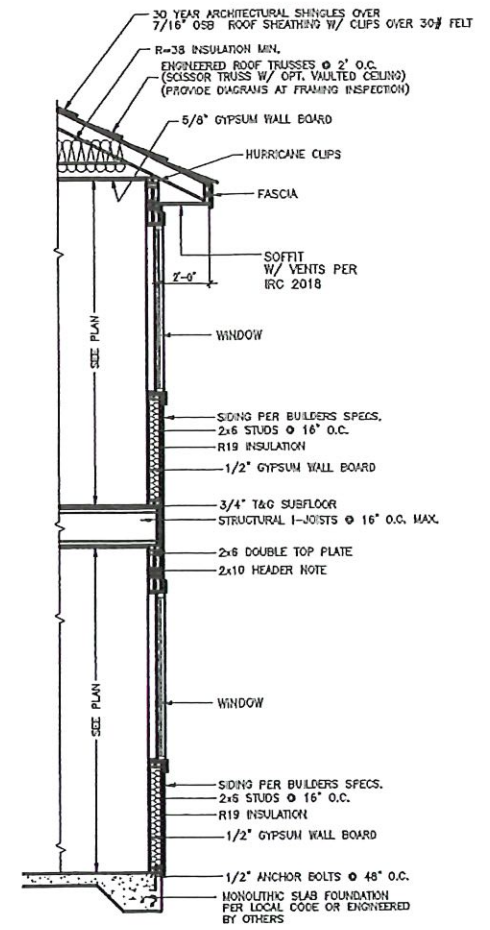
MARK	DOOR SIZE	
	WD	HGT
026	3'-0"	6'-8"
027	16'-0"	8'-0"
029	2'-4"	6'-8"
030	2'-4"	6'-8"
031	3'-0"	6'-8"
032	2'-8"	6'-8"
033	2'-6"	6'-8"

WINDOW SCHEDULE

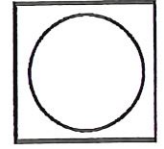
MARK	SIZE	
	WIDTH	HEIGHT
035	3'-0"	5'-0"
036	3'-0"	5'-0"
037	2'-6"	5'-0"
038	2'-6"	5'-0"
039	3'-0"	4'-0"
040	2'-6"	4'-0"

SQUARE FOOTAGE TABLE

SPACE	AREA
GARAGE SF	550.00 SF
LIVING SPACE	528.00 SF



ALLDRAFT Design Services
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MCLAUGHLIN RESIDENCE
GARAGE FLOORPLAN

DRAWN BY
ALLDRAFT
FILE NAME
CAD FILE
DATE
05-31-2023
SCALE
1/4" = 1'-0"
SHEET
A6

McLaughlin

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500 MONROE AVENUE #4