

Part 1: Letter of Intent to the Cape Charles Planning Commission

TO: The Cape Charles Planning Commission

FROM: Derek Roncaioli, Naval Logistics Officer

DATE: 26 January 2025

RE: Formal Request for Zoning Text Amendment – Harbor-Commercial (HAR-C) District

Dear Members of the Planning Commission,

I am writing to formally request that the Planning Commission initiate a Zoning Text Amendment to the Cape Charles Zoning Ordinance. Specifically, I am proposing the creation of a new permitted or conditional use within the **Harbor-Commercial (HAR-C) District** to allow for **"Managed Floating Vessels for Lodging."**

As a Naval Logistics Officer with 14 years of service, my family and I fell in love with Cape Charles and purchased a vessel in the harbor with the intent to make it our home. However, due to recent military orders and the growth of our family, we have sought to share this unique maritime experience with visitors through short-term lodging.

The Board of Zoning Appeals recently determined that under the current code, any habitation on a vessel is categorized as a "Single-Family Dwelling." Per Section 3.9 (referenced as 3.8 in previous determinations), such dwellings are only permitted as an accessory use above a pre-existing commercial establishment. As you are aware, this creates a physical impossibility for a vessel in the harbor, effectively prohibiting a viable form of maritime commerce in a district specifically designed for it.

The Proposal: I am proposing an amendment that recognizes the unique nature of the HAR-C district by allowing registered vessels to operate as transient lodging units. This model is currently thriving in Virginia Beach, Annapolis, Baltimore, and National Harbor through companies like **FLOHOM**. By adopting similar language, Cape Charles can:

1. **Enhance Tourism:** Provide a high-end, unique "floating hotel" experience that attracts visitors who value the tranquility of our harbor.
2. **Generate Revenue:** Formalize the collection of Transient Occupancy Tax (TOT) from these units, contributing directly to the Town's General Fund.
3. **Support Working Waterfronts:** Align the use of harbor slips with the commercial objectives of the HAR-C district.

I respectfully request that this matter be placed on the agenda for an upcoming work session so that we may discuss how to modernize our ordinance to support innovative maritime commerce while maintaining the character of Cape Charles.

Sincerely,

Derek Roncaioli

Part 2: Proposed Draft of Code Language

To assist the Planning Commission, I provided a "redline" or a draft of what the new law would look like. This makes it much easier for you to envision how this would look if adopted.

Proposed Addition to Section 3.9 (HAR-C District):

3.9.X Managed Floating Vessels for Lodging.

A. Definition: A vessel, as defined by the Code of Virginia § 29.1-700, which is moored in a permitted slip within the Harbor-Commercial District and utilized for transient lodging for periods of fewer than 30 consecutive days.

B. Requirements: > 1. The vessel must be currently registered as a watercraft with the Virginia Department of Wildlife Resources or documented with the U.S. Coast Guard. 2. The vessel must be equipped with a U.S. Coast Guard-approved Marine Sanitation Device (MSD) or a waste storage tank with pumping services. 3. The use shall be subject to all Town Short-Term Rental (STR) standards, safety inspections and business licensing requirements. 4. The owner/operator shall provide proof of a valid lease or permit for the slip occupied by the vessel.

Of note, #3 above requires Floating Vessels to quite literally look like a house. Doors, window, and STR building code standard still apply. This nuance prevents anybody with a boat from claiming they can rent it as a STR and protects the town from a safety standpoint.