



# Zoning Text Amendment Application

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

[planner@capecharles.org](mailto:planner@capecharles.org)

Revised 11/2025

|            |              |
|------------|--------------|
| Taxes      | ✓ up to date |
| Violations | —            |
| Fee        | —            |
| Decision   |              |

Budge Code: MISPL 100-3100-1070

## 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



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

## PART 3: Description of Request

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

Submission Date: 3/23/2026 | Zoning Ordinance Sections Proposed to be Amended (Sec. # and Title): 32-180 thru 32-197

Existing Text: Amend Town Code Chapter 32, Article VII (Chesapeake Bay Preservation Area Overlay District) and related updates to Appendix A (Definitions) and Appendix C (Site Plan Ordinance) to ensure the ordinance complies with state law regarding the Chesapeake Bay Preservation Area.

Proposed Text: See Attached

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

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

- A) Relevant code section(s) to be amended and proposed changes to the Zoning Ordinance.
- B) Whether and the extent to which the proposed amendment is consistent with the comprehensive plan and any other applicable and adopted long range planning documents. Cite the document and page.
- C) Whether the proposed amendment 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.

Date: 3/24/2024

Date: 3/23/2024

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

|                                                       |                                                      |
|-------------------------------------------------------|------------------------------------------------------|
| Date Application Received in Office: <u>3/3/2024</u>  | Application #: <u>ZTA 2024-01</u>                    |
| <b>Planning Commission</b>                            | <b>Town Council</b>                                  |
| Date referred: <del>04/07/2024</del> <u>3/19/2024</u> | Date received from Planning Commission:              |
| Action deadline (100 days from receipt):              | Action deadline (max. 365 days from referral to PC): |
| Public hearing date: <u>04/07/2024</u>                | Public hearing date: <u>4/16/2024</u>                |
| Decision:                                             | Decision:                                            |