



Planning Commission Staff Report

Agenda Title: Zoning Text Amendment 2026-02: Application from the Town of Cape Charles to amend Town Code Chapter 32, Section VIII (Historic District Overlay), Appendix A (Definitions), and the Historic District Guidelines with the addition of new Appendix G

Agenda Date: May 5th, 2026

Prepared by: Jack Steinmayer, Zoning Compliance Officer

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

Date: April 23rd, 2026

Type of Application: Zoning Text Amendment 2026-02

Applicant: Town of Cape Charles

Site Address NA

Tax Map: NA

Zoning:

Proposal: Amend the Historic District Overlay Ordinance (Town Code Chapter 32, Section VII (Historic District Overlay) and Appendix A (Definitions), and the Historic District Guidelines with the addition of new Appendix G

Legal Deadline Requirements July 19th, 2026

Date Application Received: April 10th, 2026

Date Application Deemed Complete: April 10th, 2026

For Planning Commission: July 19th, 2026

**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:

Since fall 2024, staff, the Historic District Review Board (HDRB), and the Planning Commission, with assistance from the Historic District Civic League, have been revising Article VIII (Historic District Overlay Ordinance) of the Town Zoning Ordinance and creating a new appendix to the Historic District Guidelines to clarify the approvals required for Routine Maintenance Work, Minor Work, and Major Work.

On February 17th and March 3rd, 2026, the Planning Commission held two Joint Work Sessions with the Historic District Review Board to review proposed changes to Article VIII (Historic District Overlay Ordinance) and the new Appendix G to the Historic District Guidelines. After the March 3rd, 2026, Joint Work Session, the Historic District Review Board and the Planning Commission agreed to send the proposed amendments to Article VIII, Appendix A, and the new Appendix G to the Historic District Guidelines to the Town Council for review.

At the April 9th, 2026, Town Council Work Session, the Town Council indicated that the proposed amendments to Article VIII and Appendix A, along with the creation of new Appendix G, appear to address the concerns and clearly identify the type of work and the review process that will be required for all exterior work in the Historic District.

Finally, at the April 16th, 2026 Town Council Regular Meeting, the Town Council adopted Resolution of Intent 20260416 to consider amending the Cape Charles Zoning Ordinance by modifying Article VIII (Historic District Overlay Ordinance) and related changes to Appendix A (Definitions), and creating new Appendix G to the Historic District Guidelines, and to send it to the Planning Commission for a Public Hearing.

Comprehensive Plan Review:

Staff have closely reviewed the proposed Zoning Text Amendment to Article VIII (Historic District Overlay Ordinance) and determined that it aligns with several core principles outlined in the Comprehensive Plan. The Comprehensive Plan explicitly calls for preserving and enhancing the integrity of the Historic District as a foundational land-use and design policy, as stated on *page 114 of the Land Use and Design Policies*.

The Comprehensive Plan also identifies the Historic District Review Board as the body responsible for creating and enforcing the Historic District Guidelines, and notes that all construction within the district is reviewed to ensure that new buildings and alterations do not adversely affect its historic character, as stated on *page 38 of the Housing Section of the Comprehensive Plan*.

Furthermore, the Comprehensive Plan's Housing Chapter acknowledges the significant ongoing renovation activity within the Historic District and the importance of clear regulatory frameworks to guide that work appropriately, as stated on *page 43 of the Housing Conditions section*.

Finally, the Comprehensive Plan specifically states that new development in undeveloped areas should match the prevailing style and character of traditional buildings in Cape Charles, and that the scale, massing, and materials of new buildings should be traditional and compatible with the Town's historic architectural fabric, as stated on *page 114 of the Land Use and Design Policies section of the Comprehensive Plan*.

In many respects, the amendments and creation of a new Appendix G serve both the preservation objectives of the Comprehensive Plan and its broader commitment to orderly, well-communicated development standards that will ultimately protect the Town's unique architectural heritage.

Zoning Ordinance Requirements:

The proposed Zoning Text Amendment has been reviewed thoroughly and evaluated in accordance with the applicable provisions of the Zoning Ordinance. It is consistent with its intent, purpose, and requirements.

Staff Review:

The proposed amendments to Article VIII and Appendix A, along with the creation of new Appendix G to the Historic District Guidelines, were thoroughly reviewed by the Planning Commission at a Joint Work Session on February 17th, 2026, and again at the continuation of that session on March 3rd, 2026. These meetings confirmed that the proposed amendments and new Appendix G are internally consistent and do not conflict with, diminish, or alter the established performance criteria of the Historic District Overlay Ordinance. The meetings also determined that new Appendix G addresses a longstanding community need by providing clear delineations of the approvals required for Routine Maintenance, Minor Work, and Major Work within the Historic District.

Planning Commission Motion for Consideration:

Staff is recommending that the Planning Commission make the following motion for consideration: ***The Planning Commission recommends to the Town Council to approve Zoning Text Amendment (ZTA) 2026-02: Application from the Town of Cape Charles to amend Town Code Chapter 32, Article VIII (Historic District Overlay), Appendix A (Definitions), and add new Appendix G to the Historic District Overlay Design Guidelines.***

Attachments:

Attachment A – Zoning Text Amendment Application

Attachment B – Chapter 32, Article VIII Amendments

Attachment C – Proposed Definitions to Town Code and Historic District Overlay Design Guidelines

Attachment D – Historic District Overlay Design Guidelines Appendix G

Attachment E – Town of Cape Charles Comprehensive Plan