

	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:
	<ul style="list-style-type: none"> 1) Planning Commission Staff Report dated January 6th, 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 understands 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.**