

	<b>Agenda Title:</b>	<b>Agenda Date:</b>
	Zoning Text Amendment (ZTA) 2026-01 – Chesapeake Bay Preservation Act	March 19, 2026
	<b>Subject/Proposal/Request:</b>	
	Zoning Text Amendment (ZTA) 2026-01 application to amend the Chesapeake Bay Preservation Act Overlay Ordinance (Town Code Chapter 32, Section VII (CBPA Overlay), Appendix A (Definitions), and Appendix C (Site Plan Ordinance))	
<b>Town of Cape Charles</b>	<b>Attachments:</b>	<b>For Council:</b>
	<ul style="list-style-type: none"> <li>1) Resolution of Intent #20260319</li> <li>2) ZTA 2026-01 - CBPA Related Text Amendments – Article VII and Appendix A and C with Tracked Changes</li> </ul>	Action: X Information:
	<b>Staff Contact(s):</b>	<b>Reviewed by:</b>
	Katie Nunez, Director of Planning & Zoning Administrator	Rick Keuroglan, Town Manager

**Background:** Since early 2024, staff and the Planning Commission have been working on revising Article VII (Chesapeake Bay Preservation Act Overlay Ordinance) of the Town Zoning Ordinance as a result of General Assembly legislative changes made regarding the Chesapeake Bay Preservation Act (CBPA). The state developed and provided localities a model ordinance that reflected the legislative changes but the Virginia Department of Environmental Quality (DEQ) did not complete its update of the accompanying administrative regulations until late summer 2025.

The proposed zoning text amendment document was provided to DEQ staff for their review and they provided comments and edits back to the Town which were provided to the Planning Commission who completed their development of ZTA2026-01 in late summer 2025 and staff finalized the document in late fall 2025. There are changes in the Definitions Appendix A and Site Plan Ordinance (Appendix C) as well.

One item that DEQ staff noted is that *the Town of Cape Charles shall amend its comprehensive plan to include required mapping elements including the location of CBPA areas, shoreline and streambank erosion problems, existing and potential water pollution sources, in addition to required implementation measures for goals and objectives relevant to potential water quality impacts* and to include an overlay map layer of the CPBA, specifically the Resource Protection Area (RPA) and Resource Management Area (RMA) on the Town's Zoning Map.

I am working with Civic Vanguard, the GIS Vendor that Northampton County uses, to develop Cape Charles specific zoning layers, including mapping of the RPA and RMA of the CBPA in

compliance with this proposed zoning text amendment as well as working on a cost sharing agreement for Northampton County to host these data layers as part of their GIS system.

**Item Specifics:** Town Council review of the proposed zoning text amendment for the three chapters of the Town Code Zoning Chapter is requested.

**Recommendation:** . I am recommending that Town Council vote to approve Resolution of Intent 20260319 to authorize staff to send ZTA 2026-01 to public hearings before the Planning Commission and the Town Council during the month of April 2026.