

ARTICLE I

Town of Cape Charles Zoning Ordinance

AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR THE TOWN OF CAPE CHARLES, VIRGINIA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF, AND FOR THE REPEAL OF ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, by Act of the General Assembly of Virginia as provided in Title 15.2, Chapter 22, Article 7, Section 15.2-2280 et seq. Code of Virginia, as amended, the governing body of any municipality may, by ordinance, classify the territory under its jurisdiction or any substantial portion thereof into districts of such number, shape, and size as it may deem best suited to carry out the purposes of this article and in each district it may regulate, restrict, permit, prohibit, and determine the following:

- A. The use of land, buildings, structures, and other premises for agricultural, business, industrial, residential, flood plain, and other specific uses;
- B. The size, height, area, bulk, location, erection, construction, reconstruction, alteration, repair, maintenance, razing, or removal of structures;
- C. The areas and dimensions of land, water, and air space to be occupied by buildings, structures, and uses, and of courts, yards, and other open spaces to be left unoccupied by uses and structures, including variations in the sizes of lots based on whether public or community water supply or sewer system is available and used;
- D. The excavation or mining of soil or other natural resources.

WHEREAS, zoning ordinances and districts were drawn and applied with reasonable consideration for the existing uses and character of property, the comprehensive plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by the population and economic studies, the transportation requirements of the community, the requirements of housing, parks, playground, recreational areas and other public services, the conservation of natural resources, the preservation of flood plains, the preservation of agricultural and forestal lands, the conservation of properties and their values and the encroachment of the most appropriate use of land throughout the Town.

NOW, THEREFORE, BE IT RESOLVED, by the Town of Cape Charles, Virginia, Town Council for the general purpose of promoting the health, safety, or general welfare of the public and of further accomplishing the objectives of Section 15.2-2200 of the Code of Virginia, that the following be adopted as the Cape Charles Zoning Ordinance together with the accompanying maps.

To these ends, the ordinance shall be designed to give reasonable consideration to each of the following purposes:

- A. To provide for adequate light, air, convenience of access, and safety from fire, flood, and other damages;
- B. To reduce or prevent congestion in the public streets;
- C. To facilitate the creation of a convenient, attractive, and harmonious community;
- D. To facilitate the provision of adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports, and other public requirements;
- E. To protect against destruction of or encroachment upon historic areas;
- F. To protect against one or more of the following: overcrowding of land, undue intensity of population in relation to the community facilities existing or available, obstruction of air or light, danger and congestion in travel and transportation, or loss of life, health, or property from fire, flood, panic, or other damages;
- G. To encourage economic development activities that provide desirable employment and enlarge the tax base;
- H. To provide for the preservation of agricultural and forestal lands and other lands significant for the protection of the natural environment;
- I. To promote affordable housing; and
- J. To protect state water quality standards, including surface water and groundwater.

Should any section or provision of this ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the remainder of the ordinance as a whole or any part thereof other than the part so held to be unconstitutional or invalid.

Mayor: _____

Date:

Attest: _____