

**SUFFOLK CITY COUNCIL MEETING  
OF JUNE 17, 2026**



**WORK SESSION**

**Begins at 4:00 P.M.**

**REGULAR SESSION**

**Begins at 6:00 P.M.**

**SUFFOLK CITY COUNCIL  
WORK SESSION  
June 17, 2026  
4:00 p.m.  
City Council Chamber**

1. Recycling Operational Update
2. Fiscal impact of removing the moratorium on tax exemptions for nonprofit organizations
3. \*Appointments

\* Proposed Items for Closed Session

**AGENDA: June 17, 2026, Work Session**

**ITEM: Recycling Operational Update**

Public Works Director, Gregg Benton, along with Communications Director, Jennifer Moore, will jointly provide an overview of the planning and preparation taking place for the City to collect all Refuse containers beginning July 1, 2026.

**AGENDA: June 17, 2026, Work Session**

**ITEM: Fiscal impact of removing the moratorium on tax exemptions for nonprofit organizations**

City of Suffolk's Director of Finance, Stephanie Wells, and the City Real Estate Assessor, Holt Butt, will provide an overview on the fiscal impact of removing the moratorium on tax exemptions for nonprofit organizations

## SUFFOLK CITY COUNCIL AGENDA

June 17, 2026

6:00 p.m.

City Council Chamber

1. **Call to Order**
2. **Nonsectarian Invocation**
3. **Approval of the Minutes**
4. **Special Presentation** - A proclamation in recognition of “National Elder Adult Abuse Awareness and Prevention Month”
5. **Removal of Items from the Consent Agenda and Adoption of the Agenda**
6. **Agenda Speakers**
7. **Consent Agenda** - An ordinance to accept and appropriate funds from the Commonwealth of Virginia Department of Aviation for the 3-Phase Power project at the Suffolk Executive Airport
8. **Public Hearing** - An ordinance authorizing the City Manager to enter into a Lease for Hangar Number 9 and 1.75 acres at the Suffolk Executive Airport with Skydive Suffolk Training Center LLC for a term of Five Years or Less
9. **Public Hearing** - An ordinance authorizing the City Manager to enter into a Lease for approximately 93 acres of City property located on Kings Highway in the Chuckatuck Borough of Suffolk for farming purposes for a term of Five Years or Less
10. **Public Hearing** - An ordinance to rezone the official zoning map of the City of Suffolk to change the zoning from M-1, Light Industrial Zoning District, to O-I Office Institutional (Conditional) Zoning District for property located at 1000 Film Way, Zoning Map 26F, Parcel (1A\*1A\*A), Account Number 254001041, RZN2025-010
11. **Public Hearing** - An ordinance to grant a Conditional Use Permit to establish a place of worship (large, at least 6,000 square feet in the main sanctuary) on property located at 1000 Film Way, Zoning Map 26F, Parcel (1A)\*1A\*A, Account Number 254001041; CUP2025-021
12. **Public Hearing** - An ordinance to amend Section 31-406(c) and Appendix “A” of the Unified Development Ordinance of the City of Suffolk, Virginia; OTA2026-004
13. **Public Hearing** - An ordinance to amend Section 31-416(c), Section 31-701(b)(13), and Appendix “A” of the Unified Development Ordinance of the City of Suffolk, Virginia; OTA2026-005

14. **Ordinance** - An ordinance to amend Section 90-521 of the Code of the City of Suffolk concerning Billing and Payment, Interest, Liens for Stormwater **(this item was continued from the June 3, 2026, City Council meeting)**
15. **Ordinance** - An ordinance to amend Sections 70-58, 70-124, and 70-173 of the Code of the City of Suffolk concerning Civil Penalty Schedule, Placement of City-issued Automated Containers and Recycling Containers for Collection, and Billing and Payment, Interest, Liens for Solid Waste **(this item was continued from the June 3, 2026, City Council meeting)**
16. **Resolutions**
17. **Staff Reports**
18. **Motion** - A motion to have the City of Suffolk's Planning Commission draft an amendment to the Unified Development Ordinance to Prohibit Data Centers as a Use in all zoning districts
19. **Non-Agenda Speakers**
20. **New Business**
21. **Announcements and Comments**
22. **Adjournment**

Work Session of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, March 4, 2026, 4:00 p.m.

**PRESENT**

Council Members -

Michael D. Duman, Mayor, presiding

Lue R. Ward, Jr., Vice Mayor

Leroy Bennett

Shelley Butler Barlow

Timothy J. Johnson

LeOtis L. Williams

Ebony N. Wright

Erika S. Dawley, City Clerk

William E. Hutchings, Jr., City Attorney

Kevin M. Hughes, Interim City Manager

**ABSENT**

John T. Rector (excused)

**HAMPTON ROADS PLANNING DISTRICT COMMISSION'S ECONOMIC FORECAST**

Utilizing a PowerPoint presentation, Hampton Roads Planning District Commission Regional Economist Nikki Johnson gave a report about the above referenced item.

**OVERVIEW OF UNIFIED DEVELOPMENT ORDINANCE UPDATES**

Utilizing a PowerPoint presentation, Planning and Community Development Director Kevin Wyne gave a report about the above referenced item.

Referring to the presentation, Mayor Duman asked about the size of the lot for land that is zoned RE, Rural Estate. Planning and Community Development Director Wyne replied the size is three acres.

Referring to the presentation, Mayor Duman inquired about allowing battery storage at manufacturing sites and its potential impact on the resources of the Suffolk Fire and Rescue Department. Planning and Community Development Director Wyne advised that the Suffolk Fire and Rescue Department have reviewed the updates and are in agreement with the proposed changes.

**CLOSED MEETING**

City Clerk Dawley presented the Closed Meeting motion for City Council’s consideration:

1. Pursuant to Virginia Code Section 2.2-3711(A)(1), the discussion, consideration, or interviews of prospective candidates for appointment and the assignment, appointment, and performance of specific public officers or appointees of the City, specifically the appointments as shown on the attached list for vacancies or term expirations for the Early Childhood Development Commission, Human Services Advisory Board, Local Board of Building Code Appeals, Parks and Recreation Advisory Commission, The Planning Council, Senior Services of Southeastern Virginia Board of Directors, and the Tidewater Youth Services Commission; and
2. Pursuant to Virginia Code Section 2.2-3711(A)(8) and (29), consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel and the discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, specifically the agreement between the City and the Constitutional Officers of the City.

Council Member Bennett, on a motion seconded by Council Member Williams, moved that City Council convene in a closed meeting for the above-mentioned purposes, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Williams and Wright	7
NAYS:	None (Council Member Rector was excused.)	0

City Council convened in Closed Meeting at 4:37 p.m. The Closed Meeting concluded at 5:36 p.m.

Teste: \_\_\_\_\_  
Erika S. Dawley, MMC, City Clerk

Approved: \_\_\_\_\_  
Michael D. Duman, Mayor

Regular Meeting of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, March 4, 2026, at 6:00 p.m.

**PRESENT**

Council Members -  
Michael D. Duman, Mayor, presiding  
Lue R. Ward, Jr., Vice Mayor  
Leroy Bennett  
Shelley Butler Barlow  
Timothy J. Johnson  
LeOtis L. Williams  
Eboni N. Wright

Erika S. Dawley, City Clerk  
William E. Hutchings, Jr., City Attorney  
Kevin M. Hughes, Interim City Manager

**ABSENT**

John T. Rector (excused)

**CALL TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE**

Mayor Duman called the meeting to order and announced Council Member Rector was excused. Council Member Butler Barlow offered the Invocation and led the Pledge of Allegiance to the Flag.

**FREEDOM OF INFORMATION ACT CERTIFICATION**

City Clerk Dawley presented a resolution certifying the Closed Meeting of March 4, 2026, pursuant to Section 2.2-3712 of the Code of Virginia (1950), as amended.

Council Member Williams, on a motion seconded by Council Member Bennett, moved to approve the resolution, as presented, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Williams and Wright	7
NAYS:	None (Council Member Rector was excused.)	0

**A RESOLUTION OF CERTIFICATION OF THE CLOSED MEETING OF MARCH 4, 2026, PURSUANT TO SECTION 2.2-3712 OF THE CODE OF VIRGINIA (1950), AS AMENDED**

**APPROVAL OF THE MINUTES**

Council Member Williams, on a motion seconded by Council Member Butler Barlow, moved to approve the minutes from the November 19, 2025, Work Session, as presented, by the following roll call vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Williams and Wright	7
NAYS:	None (Council Member Rector was excused.)	0

**SPECIAL PRESENTATIONS**

**Special Presentation - Great Suffolk Cleanup 2026**

Utilizing a PowerPoint presentation, Litter Control Coordinator Daniel McDonald gave a report on the above referenced topic.

**Special Presentation - State of Agriculture 2026 Update and a proclamation in recognition of “National Agriculture Month**

Mayor Duman presented the proclamation to Suffolk Agricultural Committee Vice Chair Brian Harris and Agricultural Specialist Julia Hillegass. Agricultural Specialist Hillegass provided a PowerPoint report on the above referenced item, and Vice Chair Harris read an editorial published in the March 4, 2026, edition of the *Suffolk News Herald*.

**REMOVAL OF ITEMS FROM THE CONSENT AGENDA AND ADOPTION OF THE AGENDA**

Council Member Johnson, on a motion seconded by Council Member Butler Barlow, moved to adopt the agenda as presented, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Williams and Wright	7
NAYS:	None (Council Member Rector was excused.)	0

**AGENDA SPEAKERS**

There were no speakers under this portion of the agenda.

**CONSENT AGENDA**

City Clerk Dawley presented the following Consent Agenda items:

**Consent Agenda Item #7** - An ordinance to accept and appropriate additional funds from the Commonwealth of Virginia Department of Aviation for the Master Plan Update project at the Suffolk Executive Airport

**Consent Agenda Item #8** - An ordinance to accept and appropriate funds from the Commonwealth of Virginia Department of Aviation for the Suffolk Executive Airport

**Consent Agenda Item #9** - An ordinance to accept and appropriate funds from the Virginia Office of Emergency Medical Services Rescue Squad Assistance Fund for the Suffolk Department of Fire and Rescue

**Consent Agenda Item #10** - An ordinance to accept and appropriate funds from the Suffolk Foundation for the initial design phase of the Longacre Park project

**Consent Agenda Item #11** - An ordinance to accept and appropriate program income resulting from the repayment of certain loans associated with the City of Suffolk HOME Rehabilitation Program

**Consent Agenda Item #12** - An ordinance to amend Section 2-463 of the Code of the City of Suffolk, Virginia to add additional members to the Education Standing Committee

**Consent Agenda Item #13** - An ordinance authorizing the City Manager to execute a Regional Partnership Memorandum of Understanding between the City of Suffolk, Isle of Wight County, and Southampton County for the Western Tidewater Recovery Court Program and Behavioral Health Docket

Referring to Consent Agenda Items #7 through #13, Interim City Manager Hughes submitted a review of the background information as printed in the official agenda.

Council Member Butler Barlow, on a motion seconded by Council Member Johnson, moved to approve the Consent Agenda, as presented, by the following roll call vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Fawcett, Johnson, and Williams	7
NAYS:	None (Council Member Rector was excused.)	0

**PUBLIC HEARINGS**

There were no items under this portion of the agenda.

**ORDINANCES**

There were no items under this portion of the agenda.

**RESOLUTIONS**

There were no items under this portion of the agenda.

**STAFF REPORT – Suffolk Police Department 2025 Year in Review**

Utilizing a PowerPoint presentation, Suffolk Police Chief James Buie provided a report about the above referenced topic.

**MOTIONS**

There were no items under this portion of the agenda.

**NON-AGENDA SPEAKERS**

Roy Johnson, 1877 White Marsh Road, representing self, was not presented when called.

William Webb, 810 Dumville Avenue, representing self, opined about affordable housing.

Dr. Andi Parodi, 2655 River Watch Drive, representing self, opined about data informing development.

**NEW BUSINESS**

City Clerk Dawley presented the following item for consideration: a motion to nominate and appoint Doretta Gilliam to the Parks and Recreation Advisory Committee.

Council Member Williams, on a motion seconded by Council Member Bennett, moved to nominate and appoint the aforementioned individual to the respective committee, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Williams and Wright	7
NAYS:	None (Council Member Rector was excused.)	0

Council Member Williams, on a motion seconded by Vice Mayor Ward, moved to approve a resolution appointing Kevin M. Hughes as City Manager of the City of Suffolk, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Williams and Wright	7
NAYS:	None (Council Member Rector was excused.)	0

**A RESOLUTION APPOINTING KEVIN M. HUGHES AS CITY MANAGER OF THE CITY OF SUFFOLK**

**ANNOUNCEMENTS AND COMMENTS**

Utilizing a PowerPoint presentation, Communications Director Jennifer Moore provided a report on the following: ribbon cuttings for The Yoga Room, The Real Estate Group and The Greater Works Community Ministries Garden of Eat'n; the selection of Suffolk Public Library employees Keirstin Winslow and Emma Daugherty for the 2026 Virginia Library Leadership Academy; the Suffolk Parks and Recreation Department's Eggstravaganza; the Suffolk Authors Festival; and Saint Patrick's Day River Cleanup at Constant's Wharf Park and Marina.

Council Member Wright summarized a constituent outreach event in the Sleepy Hole Borough.

Council Member Wright acknowledged the Non-Agenda Speakers in attendance.

Council Member Wright congratulated Kevin Hughes on his appointment as City Manager.

Council Member Wright opined about Women's History Month and Agriculture Month.

Council Member Williams congratulated Kevin Hughes on his appointment as City Manager.

Council Member Williams extended his condolences to Roshawn Holland on the loss of sister and to the family of the late Steven Perry.

Council Member Williams invited the public to a town hall in the Whaleyville Borough.

Council Member Bennett acknowledged the non-agenda speakers in attendance and the State of Agriculture 2026 Update and the presentation of the "National Agriculture Month" proclamation.

Council Member Bennett announced that he attended the “Feed My People” event with Dr. Anita Lawrence.

Council Member Bennett congratulated Kevin Hughes on his appointment as City Manager.

Council Member Bennett reported various maintenance issues in Cypress Borough.

Council Member Johnson opined about the observance of Agriculture Month and development.

Council Member Bennett opined about the murals on loan from the Virginia African American Cultural Center displayed on the former Phoenix Bank Building.

Vice Mayor Ward reported that he attended the Western Tidewater Community Services Board Crisis Center Groundbreaking.

Vice Mayor Ward reported he attended the Whaleyville Town Hall Meeting.

Mayor Duman announced that he attended the following: the YMCA of South Hampton Roads Film Premiere and Annual Meeting; the ribbon cutting for The Real Estate Group; the Suffolk Sister Cities International’s Young Artists, Authors and Musicians Awards, and the Black History Month celebration at Temple Beth El.

Mayor Duman opined about the murals on loan from the Virginia African American Cultural Center displayed on the former Phoenix Bank Building and downtown development.

Mayor Duman reported that he attended the Western Tidewater Community Service Board’s Crisis Center Groundbreaking.

Council Member Williams, on a motion seconded by Council Member Wright, moved to adjourn, by the following vote:

AYES:	Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Williams and Wright	6
NAYS:	None (Mayor Duman did not vote, and Council Member Rector was excused.)	0

There being no further business to come before City Council, the regular meeting was adjourned at 7:41 p.m.

Teste: \_\_\_\_\_  
Erika S. Dawley, MMC, City Clerk

Approved: \_\_\_\_\_  
Michael D. Duman, Mayor

Work Session of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, March 18, 2026, 4:00 p.m.

**PRESENT**

Council Members -

Michael D. Duman, Mayor, presiding

Lue R. Ward, Jr., Vice Mayor

Leroy Bennett

Shelley Butler Barlow

Timothy J. Johnson

John T. Rector

LeOtis L. Williams

Ebony N. Wright

Erika S. Dawley, City Clerk

William E. Hutchings, Jr., City Attorney

Kevin M. Hughes, City Manager

**ABSENT**

None

**FISCAL YEAR 2025-2026 CITY PROFILE & STATISTICAL DIGEST PRESENTATION**

Utilizing a PowerPoint presentation, Finance and Budget Director Stephanie Wells gave a report about the above referenced item.

**DETENTION CENTER OVERVIEW**

Utilizing a PowerPoint presentation, City Manager Hughes gave a report about the above referenced item.

Referring to the presentation, Mayor Duman asked whether a City Council vote was needed to approve staff correspondence to applicable property owners. City Attorney Hutchings advised a vote would be needed if there is opposition; otherwise, the unanimous consent of City Council would be sufficient.

Referring to the presentation, Mayor Duman sought confirmation that the correspondence will be sent to warehouses in the M-2 zoning districts. City Manager Huges clarified that the notices will be sent to those owners of warehouses, which are more than 100,000 square feet, in the M-2 districts,

**CLOSED MEETING**

City Clerk Dawley presented the Closed Meeting motion for City Council’s consideration:

1. Pursuant to Virginia Code Section 2.2-3711(A)(1), the discussion, consideration, or interviews of prospective candidates for appointment and the assignment, appointment, and performance of specific public officers or appointees of the City, specifically the appointments as shown on the attached list for vacancies or term expirations for the Downtown Advisory Committee, Early Childhood Development Commission, Human Services Advisory Board, Local Board of Building Code Appeals, The Planning Council, Senior Services of Southeastern Virginia Board of Directors, and the Tidewater Youth Services Commission.

Council Member Bennett, on a motion seconded by Council Member Rector, moved that City Council convene in a closed meeting for the above-mentioned purposes, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

City Council convened in Closed Meeting at 4:20 p.m. The Closed Meeting concluded at 4:29 p.m.

Teste: \_\_\_\_\_  
Erika S. Dawley, MMC, City Clerk

Approved: \_\_\_\_\_  
Michael D. Duman, Mayor

Regular Meeting of the Suffolk City Council was held in the City Council Chamber, 442 West Washington Street, on Wednesday, March 18, 2026, at 6:00 p.m.

**PRESENT**

Council Members -

Michael D. Duman, Mayor, presiding

Lue R. Ward, Jr., Vice Mayor

Leroy Bennett

Shelley Butler Barlow

Timothy J. Johnson

LeOtis L. Williams

Eboni N. Wright

John T. Rector

Erika S. Dawley, City Clerk

William E. Hutchings, Jr., City Attorney

Kevin M. Hughes, City Manager

**ABSENT**

None

**CALL TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE**

Mayor Duman called the meeting to order. Council Member Butler Barlow offered the Invocation and led the Pledge of Allegiance to the Flag.

**FREEDOM OF INFORMATION ACT CERTIFICATION**

City Clerk Dawley presented a resolution certifying the Closed Meeting of March 18, 2026, pursuant to Section 2.2-3712 of the Code of Virginia (1950), as amended.

Council Member Williams, on a motion seconded by Council Member Johnson, moved to approve the resolution, as presented, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

**A RESOLUTION OF CERTIFICATION OF THE CLOSED MEETING OF MARCH 18, 2026, PURSUANT TO SECTION 2.2-3712 OF THE CODE OF VIRGINIA (1950), AS AMENDED**

**APPROVAL OF THE MINUTES**

Council Member Butler Barlow, on a motion seconded by Vice Mayor Ward, moved to approve the minutes from the November 19, 2025, Regular Meeting and December 3, 2025, Work Session and Regular Meeting, as presented, by the following roll call vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

**SPECIAL PRESENTATIONS**

**Special Presentation - Virginia 250 Suffolk Events**

Utilizing a PowerPoint presentation, Tourism Development Manager Theresa Earles gave a report on the above referenced topic.

**REMOVAL OF ITEMS FROM THE CONSENT AGENDA AND ADOPTION OF THE AGENDA**

City Manager Hughes announced that there was a request to continue Item #13 to the April 15, 2026, City Council meeting - an ordinance to rezone and amend the official zoning map of the City of Suffolk to change the zoning from B-2, General Commercial Zoning District, to RU-18, Residential Urban-18 (Conditional) Zoning District for property located at 1700 and 1802 N. Main Street, Zoning Map 25, Parcel 45A, and Zoning Map 26E, Parcel F\*G\*PT\*J, and add conditions for the parcel zoned MUD, Mixed Use Development Overlay District, Zoning Map 25, Parcel 45E, Account Numbers 253066200, 253067100, AND 254001810; RZN2025-004 (Conditional) (This item was continued from the February 18, 2026, City Council meeting.)

Mayor Duman announced that he had a personal interest in the applicant’s business, NVR, Incorporated, doing business as Ryan Homes, and he disqualified himself from participating in any transaction related to RZN2025-004.

Council Member Johnson, on a motion seconded by Council Member Wright, moved to continue consideration of Item #13 to the April 15, 2026, City Council meeting, by the following vote:

AYES:	Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	7
NAYS:	None	0
ABSTAIN:	Mayor Duman	1

Council Member Rector, on a motion seconded by Council Member Williams, moved to adopt the remainder of the agenda, as presented, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

**AGENDA SPEAKERS**

There were no speakers under this portion of the agenda.

**CONSENT AGENDA**

There were no items under this portion of the agenda.

**PUBLIC HEARINGS**

**Public Hearing** - An ordinance to amend Section 31-406 and Section 31-702 of the Unified Development Ordinance of the City of Suffolk, Virginia; OTA2026-001

Utilizing a PowerPoint presentation, Planning and Community Development Director Kevin Wyne provided a summary of the background information as printed in the official agenda.

Wendy Cohen, 955 Cherry Grove Road North, representing self, spoke in support of the proposed ordinance, as presented.

Hearing no additional speakers, the public hearing was closed.

Council Member Butler Barlow, on a motion seconded by Council Member Bennett, moved to approve the ordinance, as presented, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

**AN ORDINANCE TO AMEND SECTION 31-406 AND SECTION 31-702 OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF SUFFOLK, VIRGINIA; OTA2026-001**

**Public Hearing** - An ordinance to amend Section 31-701(c) and Appendix A of the Unified Development Ordinance of the City of Suffolk, Virginia; OTA2026-002

Utilizing a PowerPoint presentation, Planning and Community Development Director Wyne provided a summary of the background information as printed in the official agenda.

Claudia Lee, no house number provided, Indian Trail, opined about the exclusion of solar farms from the proposed ordinance.

Hearing no additional speakers, the public hearing was closed.

Council Member Wright asked about the exclusion of solar farms from the proposed ordinance. Planning and Community Development Director Wyne explained that solar farms in the agricultural areas may not be close enough to fire suppression infrastructure in the case of an emergency. He concluded that manufacturers are already on City water for fire suppression.

Council Member Wright asked whether people who want to store batteries on site would need a conditional use permit. Planning and Community Development Director Wyne said that use would be a permitted accessory use.

Council Member Wright inquired about the impact on the area adjacent to Florence Bowser Elementary School. Planning and Community Development Director Wyne advised that area is zoned M-1 and would not be included in the proposed Ordinance Text Amendment.

Referring to the presentation, Council Member Johnson solicited information about the beneficiaries of the proposed ordinance. City Manager Hughes advised the ordinance is applicable to manufacturing businesses that are heavy energy users.

Referring to the presentation, Council Member Rector asked about the ramifications if the proposed ordinance did not pass. Planning and Community Development Director Wyne affirmed that battery storage would not be allowed anywhere if the proposed ordinance failed.

Council Member Rector solicited information about the proposed ordinance’s treatment in the Planning Commission’s Committee on Ordinances. Planning and Community Development Director Wyne explained that proposed ordinance would not create a principal use but allows accessory use.

Council Member Wright asked about possible legislative action at the state level. City Attorney Hutchings reported that a bill exists to enable battery storage as a by-right use on solar farms.

Referring to the presentation, Council Member Johnson asked whether Solenis would benefit from the approval of the proposed ordinance. Planning and Community Development Director Wyne replied in the affirmative.

Referring to the presentation, Mayor Duman inquired about safety and disposal concerns. Planning and Community Development Director Wyne said safety and disposal concerns have been addressed.

Referring to the presentation, Mayor Duman surmised that the purpose of the proposed ordinance would be attracting manufacturing business. Planning and Community Development Director Wyne replied in the affirmative.

Council Member Butler Barlow, on a motion seconded by Council Member Rector, moved to approve the ordinance, as presented, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Rector, Williams and Wright	7
NAYS:	Council Member Johnson	1

**AN ORDINANCE TO AMEND SECTION 31-701(C) AND APPENDIX A OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF SUFFOLK, VIRGINIA; OTA2026-002**

**Public Hearing** - An ordinance to grant a Conditional Use Permit to establish a day care (family day home, 5-12 children) at 302 Edward Avenue, Zoning Map 25A, Parcel 1\*J3, Account Number 250131300; CUP2026-001

Utilizing a PowerPoint presentation, Planning and Community Development Director Wyne provided a summary of the background information as printed in the official agenda.

Kathleen Lynch, 302 Edward Avenue, applicant and property owner, spoke in support of the proposed ordinance.

Hearing no additional speakers, the public hearing was closed.

Council Member Wright, on a motion seconded by Council Member Williams, moved to approve the ordinance, with conditions as presented, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

**AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A DAY CARE (FAMILY DAY HOME, 5-12 CHILDREN) AT 302 EDWARD AVENUE, ZONING MAP 25A, PARCEL 1\*J3, ACCOUNT NUMBER 250131300; CUP2026-001**

**Public Hearing** - An ordinance to grant a Conditional Use Permit to establish a contractor and trade shop (outdoor storage and operations) use on property located along Shoulders Hill Road, Zoning Map 20, Parcel 12, Account Number 303499000; CUP2025-015

Utilizing a PowerPoint presentation, Planning and Community Development Director Wyne provided a summary of the background information as printed in the official agenda.

Ryan Hamilton, 1128 Independence Boulevard, Virginia Beach, representing Alex Kotardies, the applicant and property owner, spoke in support of the proposed ordinance.

Charles Lavell, 3905 Pughsville Road, representing self, opined about the consequences of development.

Ryan Hamilton, 1128 Independence Boulevard, Virginia Beach, representing the applicant, spoke in support of the proposed ordinance.

Hearing no additional speakers, the public hearing was closed.

Referring to the presentation, Council Member Wright asked about enforcement of the trip limitation to the property. Mr. Hamilton advised that there are no tenants yet, so the number of trips is unknowable at this time.

Referring to the presentation, Vice Mayor Ward inquired about the number of trips anticipated to travel on Pughsville Road. Mr. Hamilton advised there are no tenants yet, so the number of trips cannot be predicted at this time.

Referring to the presentation, Council Member Bennett solicited information about area truck restrictions. City Attorney Hutchings explained the current truck restrictions in the area and concluded that it is not permissible to block truck access to all roads in the area.

Council Member Wright, on a motion seconded by Council Member Bennett, moved to approve the ordinance, with conditions as presented, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

**AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A CONTRACTOR AND TRADE SHOP (OUTDOOR STORAGE AND OPERATIONS) USE ON PROPERTY LOCATED ALONG SHOULDERS HILL ROAD, ZONING MAP 20, PARCEL 12, ACCOUNT NUMBER 303499000; CUP2025-015**

**ORDINANCES**

**Ordinance** - An ordinance granting a two-year extension of an approved Conditional Use Permit to establish a public assembly (not otherwise enumerated) use on property located at 456 Barnes Road, Zoning Map 39, Parcel 43, Account Number 153562000; CUP2026-006

Utilizing a PowerPoint presentation, Planning and Community Development Director Wyne provided a summary of the background information as printed in the official agenda.

Council Member Johnson, on a motion seconded by Council Member Williams, moved to approve the ordinance, with conditions as presented, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

**AN ORDINANCE GRANTING A TWO-YEAR EXTENSION OF AN APPROVED CONDITIONAL USE PERMIT TO ESTABLISH A PUBLIC ASSEMBLY (NOT OTHERWISE ENUMERATED) USE ON PROPERTY LOCATED AT 456 BARNES ROAD, ZONING MAP 39, PARCEL 43, ACCOUNT NUMBER 153562000; CUP2026-006**

**Ordinance** - An ordinance to rezone and amend the official zoning map of the City of Suffolk to change the zoning from B-2, General Commercial Zoning District, to RU-18, Residential Urban-18 (Conditional) Zoning District, to apply proffered conditions to property zoned Mixed Use Development Overlay District, MUD, and to apply proffered conditions to property zoned B-2, General Commercial Zoning District, for property located at 1700 & 1802 North Main Street, Zoning Map 25, Parcels 45A and 45E, and Zoning Map 26E, Parcel F\*G\*PT\*J, Account Number 253066200, 253067100, and 254001810; RZN2025-004 (Conditional) (This item was continued from the February 18, 2026, City Council meeting.)

This item was continued to the April 15, 2026, City Council meeting.

**RESOLUTIONS**

There were no items under this portion of the agenda.

**STAFF REPORT**

There were no items under this portion of the agenda.

**MOTIONS**

There were no items under this portion of the agenda.

**NON-AGENDA SPEAKERS**

Leslie Rinaldi, 3039 Gateway Drive, representing self, opined about immigration detention centers in the City.

Cyndi Sluder, 118 Kristen Lane, representing self, expressed appreciation to the Members of City Council for their service.

**NEW BUSINESS**

City Clerk Dawley presented a motion to nominate and appoint the following individuals to the respective positions on the Downtown Advisory Committee:

- Edward Beardsley – retail representative
- Lisa Burrell – hospitality representative
- Vance McGhee – culinary & restaurant representative
- Leonard Provost – real estate representative
- Thomas Woodward, III – professional representative
- Thomas Yannuzzi – arts & culture representative

Council Member Williams, on a motion seconded by Vice Mayor Ward, moved to nominate and appoint the aforementioned individuals to the respective positions on the Downtown Advisory Committee, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams, and Wright	8
NAYS:	None	0

**ANNOUNCEMENTS AND COMMENTS**

Utilizing a PowerPoint presentation, Communications Assistant Director William Franklin provided a report on the following: ribbon cutting for everbowl; Economic Development Director Janet Days’ receipt of the Virginia Center for Inclusive Communities Humanitarian Award; the Suffolk Police Department’s Awards Ceremony; the Suffolk Police Department’s hiring event; Tourism Division’s receipt of the Virginia is for Lovers Trailblazer Award; the Suffolk Parks and Recreation Department’s Eggstravaganza; Suffolk Fire and Rescue Department’s Life Safety camps; Suffolk Public Library’s Battle of the Books; and the availability of the Public Safety Portal.

Council Member Butler Barlow opined about immigration detention centers and zoning changes to allow the keeping of horses in additional districts.

Council Member Bennett reported that he attended the Suffolk Police Department’s Awards Ceremony.

Council Member Johnson opined about the following: the Suffolk Police Department’s Awards Ceremony; the Tourism Division’s Picklepalooza event; Economic Development Director Days’ receipt of the Humanitarian Award from the Virginia Center for Inclusive Communities, and construction on Route 58.

Council Member Wright asked for a status update on the step plan study. City Manager Hughes advised that the Request for Proposal has closed, and staff are reviewing the submittals.

Council Member Rector opined about sidewalk connectivity on Suburban Drive.

Council Member Rector said he attended the Suffolk Police Department’s Awards Ceremony.

Council Member Rector extended his condolences to the family of the late William Peachy.

Council Member Williams invited the public to a town hall in the Whaleyville Borough.

Vice Mayor Ward opined about the Suffolk Police Department’s Awards Ceremony and Economic Development Director Days’ receipt of the Humanitarian Award from the Virginia Center for Inclusive Communities.

Mayor Duman said he attended the Suffolk Police Department’s Awards Ceremony and a Chick-fil-a ribbon cutting.

Mayor Duman extended his condolences to the family of the late William Peachy.

Mayor Duman offered remarks on the shooting of Lt. Col. Brandon Shah at Old Dominion University.

Council Member Williams, on a motion seconded by Council Member Wright, moved to adjourn, by the following vote:

AYES:	Mayor Duman, Vice Mayor Ward, and Council Members Bennett, Butler Barlow, Johnson, Rector, Williams and Wright	8
NAYS:	None	0

There being no further business to come before City Council, the regular meeting was adjourned at 8:04 p.m.

Teste: \_\_\_\_\_  
Erika S. Dawley, MMC, City Clerk

Approved: \_\_\_\_\_  
Michael D. Duman, Mayor

**Agenda: June 17, 2026, Regular Session**

**Item: Special Presentation – Elder Adult Abuse Awareness and Prevention**

Suffolk Department of Social Services request a proclamation in recognition of the “Elder Abuse and Awareness and Prevention Month” from June 1– 30, 2026.

Toya Taylor, Assistant Director of Services and Deonna Butler, Services Program Manager, and I will accept this proclamation.

# **Removal of Items from the Consent Agenda and Adoption of the Agenda**

# **Agenda Speakers**

**AGENDA: June 17, 2026, Regular Session**

**ITEM: Consent Agenda** - An ordinance to accept and appropriate funds from the Commonwealth of Virginia Department of Aviation for the 3-Phase Power project at the Suffolk Executive Airport

The City has received \$165,118.19 in funding from the Commonwealth of Virginia Department of Aviation in support of the Suffolk Executive Airport 3-Phase Power project for Fiscal Year 2025-2026. The funding will be used to install a 3-Phase Power Supply at the Suffolk Executive Airport.

Adoption of the attached ordinance is necessary to accept and appropriate these funds to the appropriate line item in the Capital Fund for Fiscal Year 2025-2026.

**BUDGET IMPACT:**

Adoption of the ordinance will increase the planned revenues and expenditures of the Capital Fund budget by \$165,118.19 for the above-noted purpose and requires local fund support in the amount of \$8,690.43 which is provided for in the Fiscal Year 2025-2026 Aviation Fund budget.

**RECOMMENDATION:**

Adopt the attached ordinance

**ATTACHMENTS:**

Ordinance  
Grant Agreements

ORDINANCE NUMBER \_\_\_\_\_

**AN ORDINANCE TO ACCEPT AND APPROPRIATE FUNDS FROM THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF AVIATION FOR THE 3-PHASE POWER PROJECT AT THE SUFFOLK EXECUTIVE AIRPORT**

WHEREAS, the City has received funds in the amount of \$165,118.19 from the Commonwealth of Virginia Department of Aviation in support of the Suffolk Executive Airport; and,

WHEREAS, the funds received need to be accepted and appropriated to the Capital Fund budget for Fiscal Year 2025-2026 to assist with the installation of a 3-Phase Power Supply.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

1. The sum of \$165,118.19 shall be reflected as budgeted in the following accounts in the Fiscal Year 2025-2026 Capital Fund budget:

<u>Revenue</u>		
310-150000-2287_424140.110	State Aviation Funds	<u>\$165,118.19</u>
<u>Expenditure</u>		
310-150000-2287_53850.110	Construction Contracts - State	<u>\$165,118.19</u>

2. The fund amount totaling \$165,118.19 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 25-O-040, as amended. The City Manager be, and is hereby authorized and directed to do all things necessary to effectuate this action.

3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
Erika S. Dawley, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
William E. Hutchings, Jr., City Attorney



Commonwealth of Virginia  
Department of Aviation  
5702 Gulfstream Road  
Richmond, Virginia 23250-2422

**Grant Amendment**

Part I - Offer

Project Number: CS0050-45  
Amendment Number: 1  
Date of Offer: May 21, 2026  
Date of Offer Expiration: July 20, 2026

WHEREAS, the Commonwealth of Virginia (hereinafter referred to as the "Commonwealth"), acting by and through the Virginia Aviation Board (hereinafter referred to as the "Board") and/or the Department of Aviation (hereinafter referred to as the "Department"), has determined that, in the interests of the Commonwealth, the Grant Agreement relating to the following Project at **Suffolk Executive Airport**

**3-Phase Power**

and entered into by and between the Commonwealth, acting by and through the Board and/or the Department, and the **City of Suffolk** (hereinafter called "Sponsor"), and effective on **August 14, 2024**, shall be amended as hereinafter provided,

NOW, THEREFORE, WITNESSETH: That in consideration of the benefits to accrue to the parties hereto, the Board and/or the Department, acting for and on behalf of the Commonwealth, on the one part, and the Sponsor, on the other part, do hereby agree that the said Grant Agreement be, and the same hereby is, amended as follows:

**Increase the maximum obligation of the Commonwealth of Virginia as provided in Part I from \$61,940 to \$165,118.19 (\$103,178.19 increase).**

The Sponsor's acceptance of this offer of Grant Amendment, with its terms and conditions, shall be evidenced by execution of this offer of Grant Amendment by, or on behalf of, the Sponsor, as hereinafter provided, and said offer of Grant Amendment and acceptance along with the Grant Agreement shall comprise the total Grant Amendment for the distribution of funds by the Department as authorized under §5.1-2.2 of the *Code of Virginia* (1950), as amended. This Grant Amendment shall become effective upon the Sponsor's acceptance and shall remain in full force as provided herein.

Commonwealth of Virginia  
Department of Aviation

DocuSigned by:  
By, Gregory Campbell 5/22/2026  
77A8B116403440B...

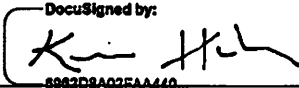
Its, Director

Grant Amendment, Project Number CS 0050-45

Part II - Acceptance

The Sponsor hereby accepts and agrees to all the terms, conditions and assurances contained in this Grant Amendment.

City of Suffolk

By,  5/22/2026  
6063D8A02FAA440...

Kevin Hughes  
Interim City Manager, City of Suffolk



Commonwealth of Virginia  
Department of Aviation  
5702 Gulfstream Road  
Richmond, Virginia 23250-2422

## Grant Agreement

### Part I - Offer

Project Number: **CS0050-45**  
Date of Approval: **August 9, 2024**  
Date of Offer: **August 9, 2024**  
Date of Offer Expiration: **October 8, 2024**

WHEREAS, by executing a *Master Agreement on Terms and Conditions for Accepting State Aviation Funding Resources* (hereinafter referred to as the "Master Agreement"), effective December 21, 2017, the **City of Suffolk** (hereinafter referred to as the "Sponsor") agreed to the terms and conditions for accepting state aviation funding from the Commonwealth of Virginia (hereinafter referred to as the "Commonwealth"); and

WHEREAS, the Sponsor has submitted a request for a grant of state funds to assist in the development of **Suffolk Executive Airport** (hereinafter referred to as the "Airport") together with the appropriate supporting documentation; and

WHEREAS, the Commonwealth acting by and through the Virginia Aviation Board (hereinafter referred to as the "Board") and/or the Virginia Department of Aviation (hereinafter referred to as the "Department"), has approved a project for development of the Airport which consists of the following (hereafter referred to as the "Project"):

### 3-Phase Power

NOW, THEREFORE, pursuant to the authority granted to the Department by §5.1-2.2 of the *Code of Virginia* (1950), as amended, and in consideration of (a) the authority granted to the Sponsor to operate and maintain the Airport, (b) the Sponsor's adoption and ratification of the assurances provided in the Master Agreement, and (c) the benefits to accrue to the Commonwealth and the public from the accomplishment of this Project, the Department offers to pay, as the Commonwealth's share, **ninety-five (95.00) percent** of all eligible Project costs.

This offer is made on and subject to the following terms and conditions:

1. The Master Agreement is incorporated by reference herein, and this offer is subject to the terms and conditions of said Master Agreement.
2. The maximum obligation of the Commonwealth payable under this Grant Agreement shall not exceed **\$61,940.00**.
3. If the Federal Aviation Administration (hereinafter referred to as the "FAA") will be participating in the funding of this Project, the Sponsor has, at the time of the execution of this Grant Agreement, a commitment from FAA for federal funds in the amount of **\$N/A**.
4. This Grant Term will expire on **September 30, 2028**.
5. The Grant Obligation Term is **20 years**.

Grant Agreement, Project Number CS0050-45

The Sponsor's acceptance of this Grant Offer with its terms and conditions shall be evidenced by execution of this Grant Offer by, or on behalf of, the Sponsor, as hereinafter provided, and said Grant Offer and acceptance shall comprise a Grant Agreement for the distribution of funds by the Department as authorized under §5.1-2.2 Code of Virginia (1950), as amended. This Grant Agreement shall become effective upon the Sponsor's acceptance and shall remain in full force as provided herein.

Commonwealth of Virginia  
Department of Aviation

DocuSigned by:  
Gregory W. Campbell 8/9/2024  
By, 77A681184C3440B

Its, Director

Part II - Acceptance

The Sponsor hereby accepts and agrees to all the terms, conditions and assurances contained in this Grant Agreement.

City of Suffolk

DocuSigned by:  
Albert S. Moor II 8/12/2024  
By, 9C8290CAB13443F

Albert S. Moor, II, P.E.  
City Manager, City of Suffolk

Certification of Sponsor's Attorney

Acting as Attorney for the Sponsor, I do hereby certify that in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the Commonwealth of Virginia. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the Commonwealth of Virginia. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

DocuSigned by:  
William E. Hutchings, Jr. 8/14/2024  
By, 481C82F143F14D0

William E. Hutchings, Jr.  
City Attorney, City of Suffolk

**AGENDA: June 17, 2026, Regular Session**

**ITEM: Public Hearing** – An ordinance authorizing the City Manager to enter into a Lease for Hangar Number 9 and 1.75 acres at the Suffolk Executive Airport with Skydive Suffolk Training Center LLC for a term of Five Years or Less

On February 20, 2026, the City advertised for tenants in Invitation for Bid for Hangar Number 9 at the Suffolk Executive Airport. Skydive Suffolk Training Center LLC was the only respondent to the Invitation for Bid and offered terms of \$2,350.00 per month. The lease shall commence on July 1, 2026, and remain in effect until June 30, 2027, with options to renew for four (4) additional one year terms. The Department of Economic Development has reviewed and approves of the terms of the lease.

**BUDGET IMPACT:**

Lessee shall make monthly payments of two thousand three hundred fifty dollars (\$2,350) per month due in advance on the first day of the month.

**RECOMMENDATION:**

Adopt the attached ordinance

**ATTACHMENTS:**

Ordinance  
Exhibit 1 - Lease of Box Hangar Number 9 and 1.75 acres

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE FOR HANGAR NUMBER 9 AND 1.75 ACRES AT THE SUFFOLK EXECUTIVE AIRPORT WITH SKYDIVE SUFFOLK TRAINING CENTER LLC FOR A TERM FIVE YEARS OR LESS**

WHEREAS, the City of Suffolk owns property known as Hangar Number 9 at Suffolk Executive Airport and approximately 1.75 acres immediately adjacent to Hangar Number 9; and,

WHEREAS, the City issued Invitation for Bid # 26103 on February 20, 2026, for the lease of the Airport Property, located at 1200 Gene Bolton Drive, specifically Hangar Number 9 and 1.75 acres (more or less) located adjacent to Hangar Number 9 (“Premises”); and,

WHEREAS, Skydive Suffolk Training Center, LLC submitted a timely bid; and,

WHEREAS, after consideration of the bids received, the City accepted the bid submitted by Skydive Suffolk Training Center, LLC, having determined that the bid submitted meets the requirements of the City’s Invitation for Bid.


NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that the City Manager is hereby authorized to enter into a lease agreement with Skydive Suffolk Training Center, LLC, concerning the Premises, in substantially the same form as shown on Exhibit 1 of the attached proposed lease, and to do all things necessary to effectuate such lease agreement.

This Ordinance shall be effective upon its passage and shall not be published.

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
Erika S. Dawley, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
William E. Hutchings, Jr., City Attorney

# Exhibit 1



## Lease Agreement

### Lease of Box Hangar Number 9 & Property East of Hangar Number 9 +/-1.75 acres

This Lease Agreement ("Lease") is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2026 by and between the City of Suffolk, Virginia, a municipal corporation of the Commonwealth of Virginia ("City") and the following Lessee ("Lessee"):

Lessee's Name: Skydive Suffolk Training Center, LLC  
Legal Nature of Lessee: Skydiving Operations, Educations, & Equipment Sales  
Street Address: 1200 Gene Bolton Dr. Hangar#9  
City, State, and Zip Code: Suffolk, VA 23434  
E-mail: [Laura@skydivesuffolk.com](mailto:Laura@skydivesuffolk.com)

The following terms and conditions shall govern the rental by the City of Box Hangar Number 9 Lease:

1. **Rental Premises:** City hereby leases to Lessee the space described below located at the City's airport, known as the Suffolk Executive Airport (the "Airport"), together with reasonably necessary rights of ingress and egress over the adjoining Airport property for the following:

The leased premises ("Premises") shall include Box Hangar 9, consisting of approximately total of approximately 8,000 square feet, which includes 6,400 square feet of hangar space and 1,600 square feet of the office lean-to addition, together with the exclusive use of the paved ramp that abuts the box hangar, the taxiway leading from the ramp to taxiway "A", and the 5 vehicle parking spaces adjoining the building and shall include approximately 1.75 acres immediately adjacent east of Hangar 9 (hereinafter the "Premises"). The Premises is further described on the attached Exhibit A. The Premises shall be accepted "as is," with the exception of minor repairs agreed to be made by the City.

2. **Term:** This Lease shall commence on the first (1<sup>st</sup>) day of July 2026 and remain in effect for a period of one (1) year which term will end on the 30th day of June 2027 ("Initial Term"). After the initial Term, this Lease may be renewed for four (4) additional terms of one year each, at a rate determined by the City as provided in Section 3 herein. In addition to the City's rights to terminate the Lease under Section 9, either party may terminate this Lease by giving the other party thirty (30) days' written notice.
3. **Rent:** Lessee shall pay to City as rent for the Premises, monthly payments in the amount of two thousand three hundred fifty dollars (\$2,350), due in advance on the first day of each month. Rental payments made more than fifteen (15) days after the due date shown on the City's invoice shall include a late fee of thirty dollars (\$30.00). The City shall be

entitled at any time to increase the monthly rental to an amount set forth in the City's Schedule of Rents, as may be adopted by City Council annually, provided that the City gives to the Lessee written notice thereof at least thirty (30) days prior to the date on which such increase becomes effective.

4. **Security Deposit:** A security deposit equal to one (1) month's rent shall be payable prior to Lessee's possession of the Premises. This security deposit shall be retained by City without interest to ensure Lessee's timely performance with all of its obligations hereunder. Following termination of the Lease, the deposit may be used by the City to satisfy any of Lessee's obligations under the Lease, including, without limitation, payment of any sums due to the City for delinquent rent, late charges, collection costs (including attorneys' fees), or charges for cleaning or making repairs for damages to the Premises for which Lessee is responsible. Any excess shall be returned to the Lessee within ninety (90) days.

5. **Maintenance of the Premises:** City will maintain the structural components of the Premises. Lessee shall be responsible for any damages to the Premises caused by Lessee's use including, but not limited to, bent or broken interior walls, damage to unsealed floors due to oil spillage, door damage caused by acts or omission of Lessee or Lessee's agents or invitees, or misuse of the electrical door opening mechanism.

Lessee shall be responsible for keeping the Premises in a neat and orderly fashion, and maintain the Premises in accordance with airport safety and housekeeping standards, as adopted and revised from time to time.

Lessee shall notify the Airport Manager in writing of any alterations Lessee desires to make to the Premises and shall first obtain advance written approval for any such alterations.

The parties acknowledge that the Airport Manager, acting as the agent for the City, shall, at the direction of the City, be authorized to administer the Lease and enforce the Lessee's obligations under the Lease. Lessee shall immediately notify the Airport Manager of any damage to, or maintenance need for, the Premises.

6. **No Liabilities:** The parties understand the City retains all the benefits and protections of the City's sovereign immunity as it exists at the execution of this Lease, and that the City does not have the ability, as a matter of law, to waive such immunity. Lessee agrees to indemnify and hold the City harmless from and against any and all loss, expense (including attorneys' fees), damage, injury, and third party claims, arising out of (i) the negligence of Lessee, its agents, contractors, and invitees (ii) use of the Premises for unauthorized activities by Lessee, its agents, contractors, and invitees, or (iii) use or storage of flammables or other hazardous materials by Lessee in violation of Rules and Regulations for the Suffolk Executive Airport.

7. **Use of Premises:**

- a. The Premises shall be used by the Lessee for approved aviation activities to include, but not be limited to: aircraft storage, maintenance, and repair.
- b. Lessee is entitled to non-exclusive use of all public airport facilities. Lessee shall not be exempt from any fees or other charges implemented or imposed at the Airport during the terms of this Lease.

- c. Lessee agrees that no flammables, hazardous, or toxic materials will be stored on the Premises, unless in compliance with NFPA Standards, and approved by the Airport Manager and City Fire Marshall. Aircraft shall not at any time be refueled while within the Premises.
  - d. During the term of this Lease, Lessee shall comply with the Rules and Regulations for the Suffolk Executive Airport as they exist at the time of this Lease, and as they may be adopted or amended by the City from time to time. In addition, Lessee shall comply with all applicable ordinances, statutes, rules and regulations established, enacted, or in existence during the term of this Lease regardless of whether they are enacted or promulgated by federal, state, or local governments or agencies.
  - e. Upon the expiration or earlier termination of the Lease, Lessee shall leave the Premises in a neat, broom-clean condition. The Airport Manager shall inspect the Premises for cleanliness and damage before returning all or any portion of the security deposit to the Lessee.
  - f. Lessee shall not install any fixtures, structures, nor make any alterations, additions, or improvements of any type to the Premises, without the prior written consent of the Airport Manager. All approved fixtures installed, or additions or improvements made to the Premises, may remain in the Premises at the termination of this Lease without payment of compensation to the Lessee. Fixtures may be removed by a qualified contractor, where applicable, and only with prior written approval of the Airport Manager. The Premises shall be left in its original or better condition, reasonable wear and tear excepted. Additions and installations made without approval shall become the property of the City, or at the City's option, shall be removed at the Lessee's expense.
  - g. Lessee shall inform Airport Manager and City Manager of any changes in ownership during the term of the lease. This shall include changes in corporation, partnership, or other corporate entity.
  - h. Any non-aviation uses of the Premises shall be approved by the Airport Manager.
  - i. Overnight camping is prohibited on the Premises.
  - j. Storage of fuel on the Premises is prohibited.
  - k. Lessee shall obtain all necessary permits and approvals from the City of Suffolk Planning and Community Development for any and all improvements on the Premises.
8. **Sublease/Assignment:** The Premises shall neither be subleased, sublet, nor assigned unless approved in writing by the City Manager.
9. **Termination:** City may terminate this Lease immediately upon the occurrence of any of following events, any one of which shall constitute a breach of the Lease by the Lessee:
- a. Rent is not paid within forty-five (45) days of the date of a rent invoice from the City.

- b. Lessee fails to comply with any conditions of this Lease and has not reasonably corrected the deficiency within seven (7) days following receipt of notice.
- c. Lessee fails to abide by the Rules and Regulations for the Suffolk Executive Airport, as adopted and amended from time to time.
- d. Lessee is charged with a criminal offense arising out of Lessee's use of the Premises.
- e. Any environmental contamination of Airport property or leased Premises caused by Lessee, his agents, contractors, employees or invitees.

The City shall notify Lessee by certified mail, return receipt requested, directed to Lessee at Lessee's address shown on this Lease, that unless the breach is cured within seven (7) days of the receipt of the notice letter, this Lease will be terminated. In the event of termination for breach as described in this Section 9, the City shall be entitled to move any aircraft and other personal property of the Lessee located on the Premises to another location at the Airport.

- 10. **Costs - Attorneys' Fees:** All costs and expenses of any type, including, without limitation, court costs and attorneys' fees incurred by the City in enforcing any of Lessee's obligations under this Lease shall be paid for by the Lessee.
- 11. **Security:** Lessee agrees to abide by and cooperate with City in the enforcement and implementation of applicable airport security regulations and measures. Security of the Premises shall be the responsibility of the Lessee using the lock and key provided by the City. City agrees, and Lessee concurs, that its key may be used by the Airport Manager or his designee (a) for reasonable inspections to assure compliance with this Lease and Airport policies, rules, and regulations; and (b) in case of an emergency.

Inspections may be conducted with or without prior notice to Lessee.

- 12. **Insurance:** Lessee shall, at its own cost and expense, take out and maintain such insurance for the term of this Agreement as the Lessee is required under the Worker's Compensation Act; and also take out and maintain such general liability insurance as will protect the Lessee and the City from any claims for damage to persons, property, etc., arising out of, occurring or caused by operations under this Lease by the Lessee or otherwise arising out of this Lease. The policy or policies shall provide the amounts of insurance specified herein.

Before execution of this Lease, certificates of insurance in a form acceptable to the City Attorney shall be submitted to the City. Proof of coverage as contained herein shall consist of all policies, endorsements, declaration pages, and certificates of insurance. Each certificate shall have endorsed thereon: "No cancellation or change in the policy shall become effective until after thirty (30) days' notice by registered or certified mail to the City's Risk Manager, 442 W. Washington Street, Suffolk, Virginia 23434."

The City reserves the right to direct Lessee to increase the minimum insurance if required upon such review. All required insurance must be in effect and so continue during the life of this lease in not less than the following amounts:

a. General Liability

Coverage shall be as broad as: Comprehensive General Liability endorsed to include Broad Form, Commercial General Liability form including Products/Completed Operations.

Minimum Limits

\$2,000,000 General Aggregate Limit  
\$2,000,000 Products & Completed Operations  
\$1,000,000 Personal and Advertising Injury  
\$1,000,000 Each Occurrence Limit  
\$50,000 Fire Damage Limit  
\$5,000 Medical Expense Limit

b. Automobile Liability

Coverage sufficient to cover all vehicles owned, used, or hired by the respondent, his agents, representatives, employees, or subcontractors.

Minimum Limits

\$1,000,000 Combined Single Limit  
\$5,000 Medical Expense Limit

c. Workers' Compensation

Limits as required by the Workers' Compensation Act of Virginia.  
Employers Liability, \$100,000/\$500,000/\$100,000

d. Umbrella/Excess Liability

\$2,000,000 umbrella/excess liability coverage

e. Coverage Provisions

1. All deductibles or self-insured retention shall appear on the declaration pages, endorsements, and/or policies provided.
2. The City of Suffolk, its officers/officials, employees, agents and volunteers shall be added as "additional insured" as their interests may appear. A copy of all endorsements, declaration pages, and policies that address additional insured shall be provided. This provision does not apply to Professional Liability or Workers' Compensation/Employers' Liability.
3. The respondent's insurance shall be primary over any applicable insurance or self-insurance maintained by the City.
4. Shall provide thirty (30) days written notice to the City before any cancellation, suspension, or void of coverage in whole or part, where such provision is reasonable.

5. All coverages for subcontractors of the respondent shall be subject to all of the requirements stated herein.
6. Failure to comply with any reporting provisions of the policy(s) shall not affect coverage provided the City, its' officers/officials, agents, employees, and volunteers.
7. The insurer shall agree to waive all rights of subrogation against the City, its' officers/officials, agents, employees or volunteers for any act, omission or condition of premises which the parties may be held liable by reason of negligence.
8. The respondent shall furnish the City with all certificates of insurance, endorsements, declaration pages, and policies affecting coverage. All documents are to be signed by a person authorized by the insurance company(s) to bind coverage on its' behalf, if executed by a broker, notarized copy of authorization to bind, or certify coverage must be attached.
9. All insurance shall be placed with insurers maintaining an A.M. Best rating of no less than an A:VII. If A.M. Best rating is less than A:VII or self-insured-pool, approval must be received from City's Risk Manager.

All coverages designated herein shall be as broad as the Insurance Services Office (ISO) forms filed for use with the Commonwealth of Virginia.

This insurance shall indicate on the Certificate of Insurance the following applicable Coverage:

1. Premises and Operations including Hangar Keepers
2. Contractual Liability
3. Products and Completed Operations
4. Fire Legal Liability
5. Death and Personal Injury
6. Coverage for Snow Removal / Subcontractors

Nothing herein contained shall prevent the Lessee from taking out any other insurance for protection of its interest which it deems advisable or necessary. The purchase of insurance by the Lessee shall in no event be construed as a fulfillment or discharge of the obligations set forth in this Lease.

Prior to the commencement of this Lease, Lessee shall deliver to the City certificates or binders of insurance evidencing the existence of the insurance required, listing City as an additional insured. The Lessee shall provide proof of insurance on or before January 1<sup>st</sup> of each year during the term of this Lease. At the time of the signing of this Lease, and when requested by Airport Manager, Lessee shall provide to the Airport Manager a copy of the FAA aircraft registration for the registered aircraft.

13. **Utilities**: All public and private utilities shall be the responsibility of the Lessee.

14. **Indemnity; Force Majeure:** Lessee releases and agrees to hold the City, its employees, contractors, agents and officers (all of the foregoing collectively referred to for the purpose of this Section 14 and Section 20 below as the "City") from and against any and all liabilities, damages, business interruptions, delays, losses, claims, judgments and all costs, expenses, attorney's fees and expenses incidental hereto, which may be suffered by or charged to the City, its agents, contractors, or employees, by reason of any loss of or damage to property, or injury or death of any person arising out of or by reason any breach, violation or non-performance by the Lessee or its servants, contractors, agents, employees, guests, or invitees of any covenant or condition of this Lease or by an act or failure of those persons. City shall not be liable for its failure to perform this Lease or for any loss, injury, damage, delay of any nature whatsoever resulting thereof or caused by any act of God or nature, fire, flood, storm, accident, strike, labor dispute, riot, insurrection, war, terrorist act, or any other cause beyond City's control, including acts of the Federal or State Governments.
15. **Authority to Sign:** If Lessee is a corporation, partnership, or other corporate entity, Lessee hereby certifies that this Lease is signed by an officer of the entity authorized sign on behalf of the Lessee and shall provide proof of signatory authority upon request.
16. **Controlling Law; Venue; Entire Agreement; Changes in Writing:** This Lease is governed by the laws of the Commonwealth of Virginia. This Lease constitutes the entire agreement between the parties and, as of its effective date, supersedes any and all prior agreements or understandings between the parties related to the leasing of the Premises by the City to the Lessee. Any changes or modifications to the Lease must be in writing and signed by both parties. The parties agree that venue for any litigation between them arising out of the enforcement of the terms of the Lease shall be in for a court of competent jurisdiction in the City of Suffolk, Virginia, or the United States District Court for the Eastern District of Virginia, Norfolk Division.
17. **Waiver:** No failure of the City to terminate this Lease following an event of default nor any delay by the City in declaring the Lessee to be in default following a breach of this Lease, shall constitute or be deemed a waiver by the City of its rights to declare this Lease to be in default.
18. **Successors Bound:** This Lease shall be binding on and inure to the benefit of the heirs, legal representatives, successors, or assigns of the parties hereto. Notwithstanding the foregoing, nothing in this paragraph shall be deemed to modify or vary the prohibition *against* assignment, *subleasing*, or *sharing* contained in Paragraph 8 above.
19. **Severability:** If a provision of this Lease is declared void or unenforceable by any court or administrative agency having jurisdiction over the parties to this Lease, the entire Lease shall not be deemed void or unenforceable, and the remaining provisions shall continue in effect as nearly as possible in accordance with the original intent of the parties.
20. **Disclaimer of Liability:** City hereby disclaims, and Lessee hereby releases City from any and all liability, whether in contract or tort, including strict liability and negligence, for any loss, damage or injury of any nature to person or property sustained by Lessee or its agents, contractors, employees, invitees or guests during the term of this Lease, including, but not limited to, loss, damage or injury to the aircraft or any other property of Lessee that may be located or stored on the Premises or on the City's Airport property unless such

loss, damage or injury is caused by the City, its employees and agents, by gross negligence or willful misconduct.

The parties further agree that under no circumstances shall City be liable for consequential, special, punitive or exemplary damages, whether in contract or tort, including strict liability and negligence, including, without limitation, loss of revenue, anticipated profits or other damage related to the leasing of the Premises under this Lease.

21. **Right of Entry:** The City, by its officers, employees, agents, representatives and contractors, shall have the right at all reasonable times to enter upon the leased Premises for any and all purposes not inconsistent with this Lease, provided such action by the City, its officers, employees, agents, representatives and contractors does not unreasonably interfere with the Lessee's use, occupancy, or security requirements of the Premises.
22. **Default:** The Lessee agrees that if he fails to observe or perform any of the conditions or provision of this Lease, and such default continues for seven (7) days after the receipt of a written notice from the City, such written notice to be hand delivered or mailed by registered mail to the Lessee's address, the City may, at its option, exercise such rights as may exist at law or in equity, except that City shall not take possession of the Premises by any self-help remedy.

**SIGNATURE PAGE FOLLOWS**

IN WITNESS WHEREOF, the parties hereto have executed and sealed this CONTRACT as of the day and year first above written.

**CITY OF SUFFOLK, VA**

**SKYDIVE SUFFOLK  
TRAINING CENTER, LLC**

BY: \_\_\_\_\_  
Kevin Hughes  
City Manager

BY: \_\_\_\_\_  
Laura Manthey  
Manager

Ordinance No: \_\_\_\_\_

**ATTEST:**

**ATTEST:**

BY: \_\_\_\_\_  
Erika S. Dawley  
City Clerk

BY: \_\_\_\_\_

**APPROVED AS TO FORM**

BY: \_\_\_\_\_  
Sean P. Dolan  
Assistant City Attorney

Exhibit A



**AGENDA: June 17, 2026, Regular Session**

**ITEM: Public Hearing** – An ordinance authorizing the City Manager to enter into a Lease for approximately 93 acres of City property located on Kings Highway in the Chuckatuck Borough of Suffolk for farming purposes for a term of Five Years or Less

On May 8, 2026, the City advertised for lease approximately 93 acres of City property located on Kings Highway (Tract 5333) for the purpose of farming. Philip Edwards Farms, L.L.C., was the only respondent to the Invitation for Bid and offered terms of \$5,000.00 per month. The lease shall commence on July 1, 2026, and remain in effect until June 30, 2027, with options to renew for one (1) additional one year term. The Department of Parks and Recreation has reviewed and approves of the terms of the lease.

**BUDGET IMPACT:**

Lessee shall make lump sum payment of five thousand dollars (\$5,000.00) per year. The first annual payment shall be due immediately; rent for subsequent years shall be payable on or before December 31<sup>st</sup> of the then current year.

**RECOMMENDATION:**

Adopt the attached ordinance

**ATTACHMENTS:**

Ordinance  
Exhibit 1 - Lease of Long Acre Farm

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE FOR APPROXIMATELY 93 ACRES OF CITY PROPERTY LOCATED ON KINGS HIGHWAY IN THE CHUCKATUCK BOROUGH OF SUFFOLK FOR FARMING PURPOSES FOR A TERM OF FIVE YEARS OR LESS**

WHEREAS, the City of Suffolk owns property known as Long Acre Farm consisting of approximately 93 acres located on Kings Highway; and,

WHEREAS, the City issued Invitation for Bid # 26120 on May 8, 2026, for the lease of the Long Acre Farm, located on Kings Highway, specifically Tract 5553, Farm Service Number 5026, Tax Map parcel 10\*40 (“Premises”); and,

WHEREAS, Philip Edwards Farms, L.L.C., submitted a timely bid; and,

WHEREAS, after consideration of the bids received, the City accepted the bid submitted by Philip Edwards Farms, L.L.C., having determined that the bid submitted meets the requirements of the City’s Invitation for Bid.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that the City Manager is hereby authorized to enter into a lease agreement with Philip Edwards Farms, L.L.C., concerning the Premises, in substantially the same form as shown on Exhibit 1 of the attached proposed lease, and to do all things necessary to effectuate such lease agreement.

This Ordinance shall be effective upon its passage and shall not be published.

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
Erika S. Dawley, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
William E. Hutchings, Jr., City Attorney

EXHIBIT 1

Farming Lease – Long Acre Farm

Between

City of Suffolk and Philip Edwards Farms, L.L.C.



THIS LEASE AGREEMENT (Lease), made and entered into this \_\_\_\_ day of \_\_\_\_, 2026 by and between the CITY OF SUFFOLK, a municipal corporation duly chartered, organized and existing under the law of the Commonwealth of Virginia, hereinafter known as Lessor, party of the first part, and Philip Edwards Farms, L.L.C., hereinafter known as Lessee, party of the second part.

WITNESSETH: That the said Lessor doth demise unto said Lessee, his personal representative or assigns, the following Property:

Long Acre Farm Tract 5553. Farm Service Number 5026. Tax Map Parcel 10\*40 consisting of 92.965 acres as shown on that plat recorded as instrument number 250010185 in the office of the Clerk of the Suffolk Circuit Court.

**A. RENT/TERM/RENEWALS**

The initial term of the Agreement shall be commence from full execution of lease through June 30, 2027, or as soon thereafter as practicable to allow the harvest of the current winter/spring crop. At the sole option of the Lessor, the Agreement may continue in force thereafter on a calendar year basis not to exceed an additional one (1) year. Lessee shall pay rent to the Lessor the lump sum of \$5,000.00 for the initial term and \$5,000.00 per year for each subsequent year that the Agreement may be continued. Rent for the initial term shall be payable immediately; rent for subsequent years shall be payable on or before December 31st of the then current year.

**B. INSURANCE**

The successful bidder shall procure, maintain, and provide proof of, insurance coverage for injuries to persons and/or property damage as may arise from or in conjunction with, the work performed on behalf of the City by the bidder, his agents, representatives, employees or sublessees. Proof of coverage as contained herein shall consist of all policies, endorsements, declaration pages, and certificates of insurance and shall be submitted fifteen (15) days prior to the commencement of work, and such coverage shall be maintained by the Offeror for the duration of the lease period; for occurrence policies. Claims made policies must be in force or that coverage purchased for three (3) years after delivery date.

**a. General Liability**

Coverage shall be as broad as: Comprehensive General Liability endorsed to include Broad Form, Commercial General Liability form including Products/Completed Operations.

Minimum Limits:

\$2,000,000 General Aggregate Limit  
\$2,000,000 Products & Completed Operations  
\$1,000,000 Personal and Advertising Injury  
\$1,000,000 Each Occurrence Limit  
\$ 50,000 Fire Damage Limit  
\$ 5,000 Medical Expense Limit

b. Automobile Liability

Coverage sufficient to cover all vehicles owned, used, or hired by the lessee, his agents, representatives, employees or sublessees.

Minimum Limits:

\$1,000,000 Combined Single Limit  
\$1,000,000 Each Occurrence Limit  
\$ 5,000 Medical Expense Limit

c. Workers' Compensation

Limits as required by the Workers' Compensation Act of Virginia.

Employers Liability: \$100,000 / \$500,000 / \$100,000

d. Umbrella/Excess Liability

\$2,000,000 umbrella/excess liability coverage

e. Coverage Provisions

1. All deductibles or self-insured retention shall appear on the declaration pages, endorsements, and/or policies provided.
  2. The City of Suffolk, its' officers/officials, employees, agents and volunteers shall be added as "additional insured" as their interests may appear. A copy of all endorsements, declaration pages, and policies that address additional insured shall be provided. This provision does not apply to Professional Liability or Workers' Compensation/Employers' Liability.
  3. The lessee's insurance shall be primary over any applicable insurance or self-insurance maintained by the City.
  4. Shall provide thirty (30) days written notice to the City before any cancellation, suspension, or void of coverage in whole or part, where such provision is reasonable.
  5. All coverage for sublessees of the Lessee shall be subject to all of the requirements stated herein.
  6. Failure to comply with any reporting provisions of the policy(s) shall not affect coverage provided the City, its officers/officials, agents, employees and volunteers.
  7. The insurer shall agree to waive all rights of subrogation against the City, its
-

officers/officials, agents, employees or volunteers for any act, omission or condition of premises which the parties may be held liable by reason of negligence.

8. The Lessee shall furnish the City with all certificates of insurance, endorsements, declaration pages, and policies affecting coverage. All documents are to be signed by a person authorized by the insurance company(s) to bind coverage on its behalf, if executed by a broker, notarized copy of authorization to bind, or certify coverage must be attached.
9. All insurance shall be placed with insurers maintaining an A.M. Best rating of no less than an A:VII. If A.M. Best rating is less than A:VII, approval must be received from City's Risk Officer.
10. All coverage designated herein shall be as broad as the Insurance Services Office (ISO) forms filed for use with the Commonwealth of Virginia.

**C. INDEMNIFICATION CLAUSE**

Lessee shall defend and indemnify the City, and the City's employees, agents, and volunteers, from and against any and all damage claim, liability, cost, or expense (including, without limitation, attorney's fees and court costs) of every kind and nature (including, without limitation, those arising from any injury or damage to any person, property or business) incurred by or claimed against the Lessee, its employees, agents, and volunteers, or incurred by or claimed against the City, the City's employees, agents, and volunteers, arising out of, or in connection with, the performance of all services hereunder by the Lessee. This indemnification includes, but is not limited to, any financial or other loss, including, but not limited to, any adverse regulatory, agency or administrative sanction or civil penalties, incurred by the City due to the negligent, fraudulent or criminal acts of the Lessee or any of the Lessee's officers, shareholders, employees, agents, consultants, sub-consultants, or any other person or entity acting on behalf of the Lessee. Unless otherwise provided by law, the Lessee indemnification obligations hereunder shall not be limited in any way by the amount or type of damages, compensation, or benefits payable by or for the Lessee under workers' compensation acts, disability benefit acts, other employee benefit acts, or benefits payable under any insurance policy. This paragraph shall survive the termination of the lease including any renewal or extension thereof.

**D. SAFETY**

The Lessee shall comply with all Occupational Safety and Health Administration (OSHA), State and City Safety and Occupational Health Standards and any other applicable rules and regulations. Also all contractors and subcontractors shall be held responsible for the safety of their employees and any unsafe acts or conditions that may cause injury or damage to any persons or property within and around the leased premises.

**E. FAITH BASED ORGANIZATIONS**

City of Suffolk does not discriminate against faith-based organizations.

**F. METHOD OF PAYMENT**

Rent for the initial term shall be paid immediately to the LESSOR for the year beginning July 1, 2026, through June 30, 2027; rent for subsequent years shall be payable on or before July 1 of the then current year.

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**G. ASSIGNMENT OF LEASE**

This Lease may not be assigned in whole or in part without the written consent of the Purchasing Agent.

**H. TERMINATION WITHOUT CAUSE**

IT IS COVENANTED AND AGREED that the Lessor, during the period of this Lease shall have the right and privilege to terminate this Lease with ninety (90) days prior written notice (Notice Period), unless otherwise agreed by the parties hereto in writing.

**I. TERMINATION WITH CAUSE/DEFAULT/CANCELLATION**

In the event that Lessee shall for any reason or through any cause be in default of the terms of this Lease, the City may give Lessee written notice of such default by certified mail/return receipt requested at the address set forth in Lessee's Bid Proposal or as provided in this Lease.

Unless otherwise provided, Lessee shall have ten (10) days from the date such notice is mailed in which to cure the default. Upon failure of Lessee to cure the default, the City may immediately cancel and terminate this Lease as of the mailing date of the default notice and shall, at its option, re-enter and take possession of the premises.

In the event of violations of law, safety or health standards and regulations, this Lease may be immediately cancelled and terminated by the City and provisions herein with respect to opportunity to cure default shall not be applicable.

**J. SEVERABILITY**

If any part, term, or provision of this Lease, shall be found by the Court to be legally invalid or unenforceable, then such provision or portion thereof, shall be performed in accordance with applicable laws. The invalidity or unenforceability of any provision or portion of any Lease document shall not affect the validity of any other provision or portion of the Lease documents.

**K. APPLICABLE LAWS**

This Lease shall be governed in all respects by the laws of the Commonwealth of Virginia. In the event of a dispute, the parties agree that venue shall be proper in a state court of competent jurisdiction in the City of Suffolk, Virginia or, if applicable, the United States District Court for the Eastern District of Virginia, Norfolk Division.

**L. USE OF PROPERTY/SIGNAGE**

The Lessee will not erect any signs or permit the erection of any signs on the property without the Lessor's prior written consent. The Lessee shall not do any hunting, trapping, or fishing, or permit anyone to enter the property for the purpose of hunting, trapping, or fishing. The Lessee shall, at his own cost and expense, maintain any fences on the demised premises in good repair and shall, at Lessee's own cost and expense, establish and maintain an access for Lessee's use within the boundaries designated by the Lessor. The Lessee will keep the premises clean and clear of hazardous materials and agrees not to cut growing timber, if there is any, upon the said premises. Upon the expiration or other sooner termination of the Lease, the Lessee shall surrender the demised premises to the Lessor in good condition, reasonable wear and tear excepted.

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**M. LESSOR'S RIGHT OF ENTRY**

IT IS FURTHER UNDERSTOOD AND AGREED between the parties that the Lessor reserves the right for its designated agents and employees or others as it may designate to go on the said premises at any time and to go upon, across and over the land with all necessary equipment as it may desire; it being understood and agreed, however, between the said parties that should the Lessor, while upon the property, damage any of the crops of the Lessee, the Lessor hereby agrees to reimburse Lessee for said damage.

THE SAID LESSOR RESERVES THE RIGHT to enter and go upon said demised premises, or any part thereof, in the name of the whole, and to be seized as of its former estate, upon the breach by the Lessee of any covenant which on his part under the terms hereof he has undertaken to keep and perform, but in event that the Lessor in a proper case avails itself of such right of re-entry, the Lessee shall not be relieved of any of the covenants and undertakings herein contained, except that such portion of the rent of said premises as may accrue from and after such re-entry shall be abated.

IN WITNESS WHEREOF, the said City of Suffolk has caused these presents to be signed in its name and on its behalf by its duly authorized officer or agent and WITNESS also the signatures of the said Lessee, the day and year first above written.

**Signature Page to Follow**

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**LESSOR: CITY OF SUFFOLK, VIRGINIA**

\_\_\_\_\_  
Kevin Hughes, City Manager

**WITNESS:**

\_\_\_\_\_  
Erika S. Dawley, City Clerk

**LESSEE: PHILIP EDWARDS FARMS, L.L.C.**

\_\_\_\_\_  
Philip F. Edwards, III

Its: \_\_\_\_\_  
(Print Title)

**WITNESS:**

\_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Assistant City Attorney



**AGENDA: June 17, 2026, Regular Session**

**ITEM: Public Hearing** – An ordinance to rezone and amend the official zoning map of the City of Suffolk to change the zoning from M-1, Light Industrial (Conditional) Zoning District, to O-I Office-Institutional (Conditional) Zoning District for property located at 1000 Film Way, Zoning Map 26F, Parcel (1A)\*1A\*A, Account Number 254001041, RZN2025-010

Attached for your consideration is information pertaining to Rezoning Request RZN2025-010 (Conditional), Mount Lebanon Missionary Baptist Church, submitted by Dr. Kimberly Williams, Mount Lebanon Missionary Baptist Church, applicant, on behalf of New Dominion Pictures LLC, property owner, in accordance with Sections 31-304 and 31-305 of the Unified Development Ordinance, to rezone and amend the official zoning map of the City of Suffolk to change the zoning from M-1, Light Industrial (Conditional) Zoning District to O-I, Office-Institutional (Conditional) Zoning District for property located at 1000 Film Way, Zoning Map 26F, Parcel (1A)\*1A\*A. The affected area is further identified as being located in the Chuckatuck Voting Borough, zoned M-1, Light Industrial Zoning District (Conditional). The 2045 Comprehensive Plan designates this area as part of the Central Growth Area, Office-Institutional Land Use Type.

The Planning Commission, at their meeting on May 21, 2026, voted 7 to 0 to approve a resolution recommending **approval** of this request with the proffer statement. Therefore, this item is presented for City Council consideration with a recommendation of approval from the Planning Commission.

**ATTACHMENTS:**

- Staff Report
- General Location Map
- Zoning / Land Use Map
- Conceptual Plan
- Applicant's Narrative
- Disclosure Statement Form
- Public Comments
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Voluntary Proffer Statement
- Exhibit C – Rezoning Exhibit

# STAFF REPORT

## DESCRIPTION

**REZONING REQUEST:** Rezoning request, RZN2025-010 (Conditional), a request to change the zoning from M-1, Light Industrial (Conditional) zoning district, to O-I, Office-Institutional (Conditional) zoning district, for property located at 1000 Film Way, Zoning Map 26F, Parcel (1A)\*1A\*A.

**APPLICANT:** Submitted by Dr. Kimberly Williams, Mount Lebanon Missionary Baptist Church, applicant, on behalf of Dominion Pictures, LLC, property owner.

**LOCATION:** The subject property is located at 1000 Film Way, Zoning Map 26F, Parcel (1A)\*1A\*A.

**PRESENT ZONING:** The subject property (T.M. 26F\*(1A)\*1A\*A) is zoned M-1, Light Industrial (Conditional).

**EXISTING LAND USE:** The subject property totals 6.08 acres in size and is developed with a vacant film studio building, exterior film sets, and a parking lot.

**PROPOSED LAND USE:** The applicant is proposing to rezone the parcel from M-1 (Conditional) to O-I (Conditional). The applicant has submitted a concurrent Conditional Use Permit request, CUP2025-021, in order to establish a place of worship (large, at least 6,000 square feet in size). Approval of CUP2025-021 is contingent upon the approval of this rezoning.

## **SURROUNDING LAND USES:**

- North: Undeveloped land zoned M-1, Light Industrial Zoning District.
- South: Port 58 Apartment Complex zoned PD, Planned Development Overlay Zoning District.
- East: Hillpoint Preserve and medical offices zoned PD, Planned Development Overlay Zoning District.
- West: Medical offices zoned O-I, Office-Institutional Zoning District.

**COMPREHENSIVE PLAN:** The City's 2045 Comprehensive Plan designates this area as part of the Northern Growth Area, Office-Institutional Land Use Type.

**CHESAPEAKE BAY PRESERVATION AREA DESIGNATION:** The property is within the Chesapeake Bay Preservation Area Overlay District (CBPA) and designated as a Resource Management Area (RMA).

**FLOOD PLAIN:** The property falls within Flood Zone X (areas of minimal risk) as shown on Flood Insurance Rate Map (FIRM) Panel 5101560112E of the City of Suffolk, Virginia 2015 Flood Map.

**PUBLIC NOTICE:** This request has been duly advertised in accordance with the public notice

requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance. Notice to the applicant, containing a copy of the staff report, was also sent May 15, 2026 and June 12, 2026.

**CASE HISTORY:** The subject property was previously conditionally rezoned to M-1 in 1986 (RR12-86). The rezoning request was to rezone the subject property from RR, Rural Residential to M-1, Light Industrial (Conditional) Zoning District, for the purpose of establishing a film studio facility. The proffer statement was subsequently amended in 1991.

### **STAFF ANALYSIS**

#### **ISSUE**

The applicant proposes to conditionally rezone the subject property from M-1, Light Industrial (Conditional) Zoning District to O-I, Office-Institutional (Conditional) Zoning District. A voluntary proffer statement, has been submitted by the applicant and property owner, and contains a single proffer that certain uses that are permitted by right in the O-I zoning district will require a Conditional Use Permit on the property, should this rezoning request be approved with the proposed proffers and one of the uses included be proposed on the property in the future. Said uses cited in the proffer statement are hotel and motel, college or university, medical, general hospitals, schools, boarding, and flex space.

The applicant is requesting to rezone the property from M-1 to O-I in order to establish a place of worship, which requires Conditional Use Permit in the O-I district. As such, the applicant has submitted a concurrent Conditional Use Permit request (CUP2025-021) to establish a place of worship (large, at least 6,000 square feet in size). This rezoning request must be approved for the Conditional Use Permit request to be considered and approved by City Council.

#### **CONSIDERATIONS AND CONCLUSIONS**

In accordance with Appendix B, Section B-4 of the Unified Development Ordinance (UDO), rezoning applications must include a statement of the reasons for seeking an amendment to the zoning maps of the City of Suffolk. The parcel is located within the Central Growth Area and is designated as Office Institutional Use Type in the 2045 Comprehensive Plan.

The subject property is currently zoned M-1, Light Industrial, and the applicant is requesting to rezone the property to O-I, Office Institutional (Conditional) to develop a place of worship. The applicant has provided a narrative as a part of this request, which outlines the applicant's reasons for seeking the rezoning. The applicant states that the current Light Industrial (M-1) zoning of 1000 Film Way is less appropriate for the Office Institutional Land Use designation than the requested O-I zoning. However, the proposed place of worship will require a CUP in the O-I district per the regulations of Section 31-406 of the UDO.

## 1. Comprehensive Plan

According to the 2045 Comprehensive Plan, the subject property is located within the Central Growth Area as is designated as Office-Institutional Land Use Type. The Office Institutional Land Use Type is characterized by a wide range of public and private uses such as government facilities, schools, hospitals, and other medical offices. Expected primary uses are office, civic (schools and houses of worship), hospitals, and medical offices. Office-Institutional (O-I), is one of the applicable zoning districts for this land use type.

The proposed place of worship aligns with the general parameters set by the Comprehensive Plan for the subject property. The proposed use also aligns with the expected primary uses for the Office Institutional Land Use Type. A rezoning of the subject property to O-I conforms its designation as Office-Institutional Land Use Type.

The Comprehensive Plan also contains specific themes and policies related to land use, transportation, open space, and the environment that should be considered when contemplating a rezoning application. Relevant to this application are the following:

### **Objective L.1: Focus Development in designated Growth Areas and promote development that is consistent with the Future Land Use and Growth Areas Map.**

- *Action L.1.1: Review development proposals for consistency with the Future Land Use and Growth Areas Map, the Future Land Use Type described and mapped in this chapter, and the Guiding Values, Land Use Principals, Objectives and Actions adopted in this plan.*

The proposed place of worship aligns with the objectives of the Office-Institutional Land Use Type. The character and intensity of a place of worship is consistent and compatible with the existing uses surrounding the subject property within the Hillpoint Farms Planned Development. As previously mentioned, the proposed use aligns with the primary use for the Office-Institutional Land Use designation. Additionally, this conditional rezoning will allow a use that will be compatible with the surrounding commercial and residential uses.

### **Objective L.2: Promote predictable and orderly development.**

As previously stated, a large place of worship is conditionally permitted in the O-I, Office-Institutional Zoning District. The proposed use aligns with the intention of the O-I Zoning District, given its institutional nature. The subject property is currently occupied by a vacant film studio with deteriorating set structures, posing an eyesore and potential nuisance. The proposed rezoning and redevelopment will serve to rehabilitate the property and permit a community-oriented use within the Hillpoint development. M-1 is a fairly intense zoning designation for the property given its adjacency to residences and lower-intensity businesses and rezoning the property to O-I will permit uses, whether

conditionally or as a matter of right, that are more aligned with the character and development pattern of the neighborhood.

**Objective L.3: Promote a balance of residential and non-residential land uses.**

While it predates the master plan, the subject property is within the Hillpoint community, which is a relatively mixed-use area containing a combination of residential developments of varying densities and types, commercial businesses, and medical uses. The proposed place of worship will not disrupt the existing combination of both residential and non-residential uses within Hillpoint.

**2. Unified Development Ordinance**

Section 31-403 of the Unified Development Ordinance (UDO) provides a purpose statement for each zoning district to assist in evaluating the compatibility of any rezoning request. This rezoning request is found to be aligned with the purpose of the O-I, Office-Institutional Zoning District.

The purpose of the O-I, Office-Institutional, Zoning District is to accommodate well-designed development sites that provide excellent transportation access, make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between uses. This district supports a variety of uses such as institutional, indoor retail, service, and office uses. Additionally, the O-I zoning district supports business and commercial development along urban arterial roads. The UDO therefore supports the proposed use since a large place of worship is an institutional use, and the proposed use also aligns with the purpose of the O-I Zoning District, by providing a buffer between commercial and residential uses.

The O-I district also has specific location criteria as follows; “O-I zones shall have direct access to minor arterial, major or urban collector, or sub-collector streets.” The subject property has frontage along both Hillpoint Boulevard and Film Way. Film Way, a local road, intersects with Hillpoint Boulevard, which is classified as a major collector. While the subject property currently takes direct access from Film Way, Film Way serves both the subject site, commercial businesses, Hillpoint Preserve, and the very large undeveloped parcel directly to the north. When the larger parcel to the north develops, Film Way will likely be classified as a higher order street, and thus its current designation should not, in the opinion of staff, preclude the development of the proposed place of worship and the redesignation of the property to O-I zoning. Therefore, staff conclude that the proposed use is consistent with the purpose of the O-I Zoning District and aligns with the UDO.

**3. Adequate Public Facilities**

The purpose and intent of the adequate public facilities ordinance is to ensure that public facilities are available to support new development and associated impacts and that each public facility meets or exceeds the Level of Service standards established by the 2045 Comprehensive Plan and the Unified Development Ordinance. No rezoning request should

be approved that would cause a reduction in the levels of service standards for any public facility impacted.

Public Water and Sanitary Sewer

The Department of Public Utilities has evaluated the rezoning request and based on the information provided, they have no objections to the rezoning.

Stormwater Management

The Department of Public Works, Engineering Division, has reviewed the request and based upon the information provided, they have no objections to the rezoning.

Transportation

The site will be accessed via Film Way and will maintain the two existing access driveways. One access point will be restricted to entrance-only, and another access point to the south will be restricted to exit-only for optimal traffic flow on site, given the applicant does not propose to re-develop the parking lot. The applicant submitted a Trip Generation Memorandum to support this request and the CUP request, and it is analyzed in further detail in the staff report for the concurrent CUP request (CUP2025-021). The Department of Public Works, Traffic Engineering Division, reviewed the Traffic Trip Generation Memorandum, and have no objections to the rezoning.

Schools

No school impacts mitigation is proposed due to the civic nature of the proposed use.

4. **Proffered Conditions**

The applicant has proffered one (1) condition in support of this rezoning request as provided in Exhibit B- Voluntary Proffer Statement.

The proffer limits certain by-right uses in the O-I zoning district to require a Conditional Use Permit if proposed on the subject property; these uses are hotel and motel, college or university, medical, general hospitals, schools, boarding, and flex space. The applicant proffered an additional restriction for these specific uses to ensure future compatibility with surrounding properties.

**RECOMMENDATION**

Staff finds that this proposal, Rezoning Request RZN2025-010 (Conditional), meets the intent of the 2045 Comprehensive Plan and the provisions of the Unified Development Ordinance. Specifically, the proposed rezoning from M-1, Light Industrial (Conditional) Zoning District, to O-I, Office-Institutional (Conditional) Zoning District, aligns with the goals and objectives of the

Comprehensive Plan, which encourages orderly development and with compatible land use types. The proposed use is also consistent with the property's Office-Institutional Land Use Type designation in the Comprehensive Plan. Furthermore, the proposed use is consistent with the character and intensity of other uses surrounding the subject property. Therefore, per the considerations and conclusions noted herein, the staff recommends approval of Rezoning Request RZN2025-010 (Conditional) subject to proffered conditions, in conjunction with Conditional Use Permit request CUP2025-021.

The Planning Commission, at their meeting on May 21, 2026, voted 7 to 0 to approve a resolution recommending **approval** of this request with conditions. Therefore, this item is presented for City Council consideration with a recommendation of approval from the Planning Commission.

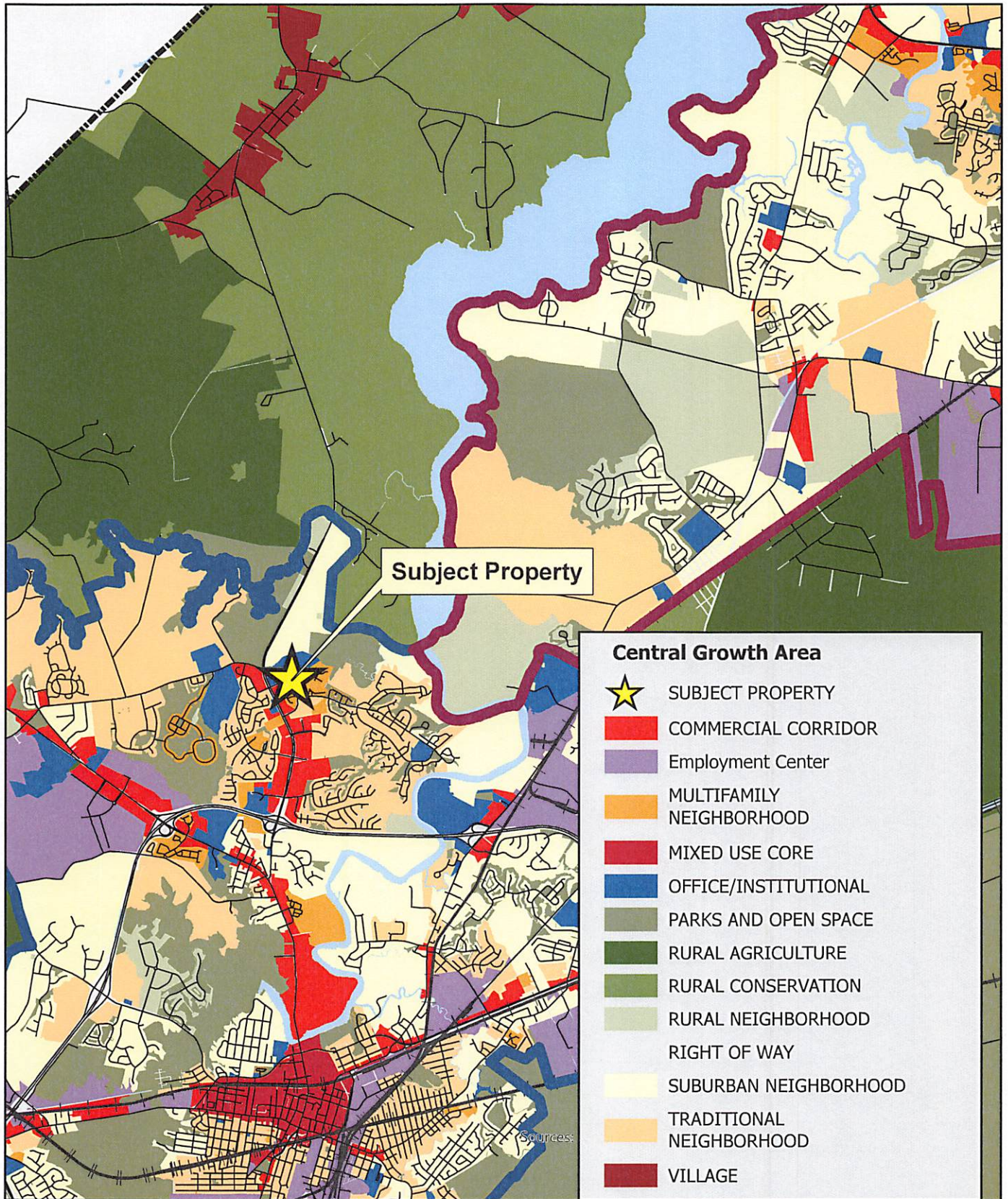
#### Attachments

- General Location Map
- Zoning/Land Use Map
- Conceptual Plan
- Applicant's Narrative
- Disclosure Statement Form
- Public Comments
- Proposed Ordinance
- Exhibit A - Planning Commission Resolution
- Exhibit B – Voluntary Proffer Statement
- Exhibit C – Rezoning Exhibit

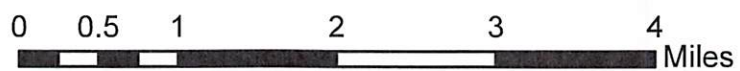


# GENERAL LOCATION MAP

## RZN2025-00010



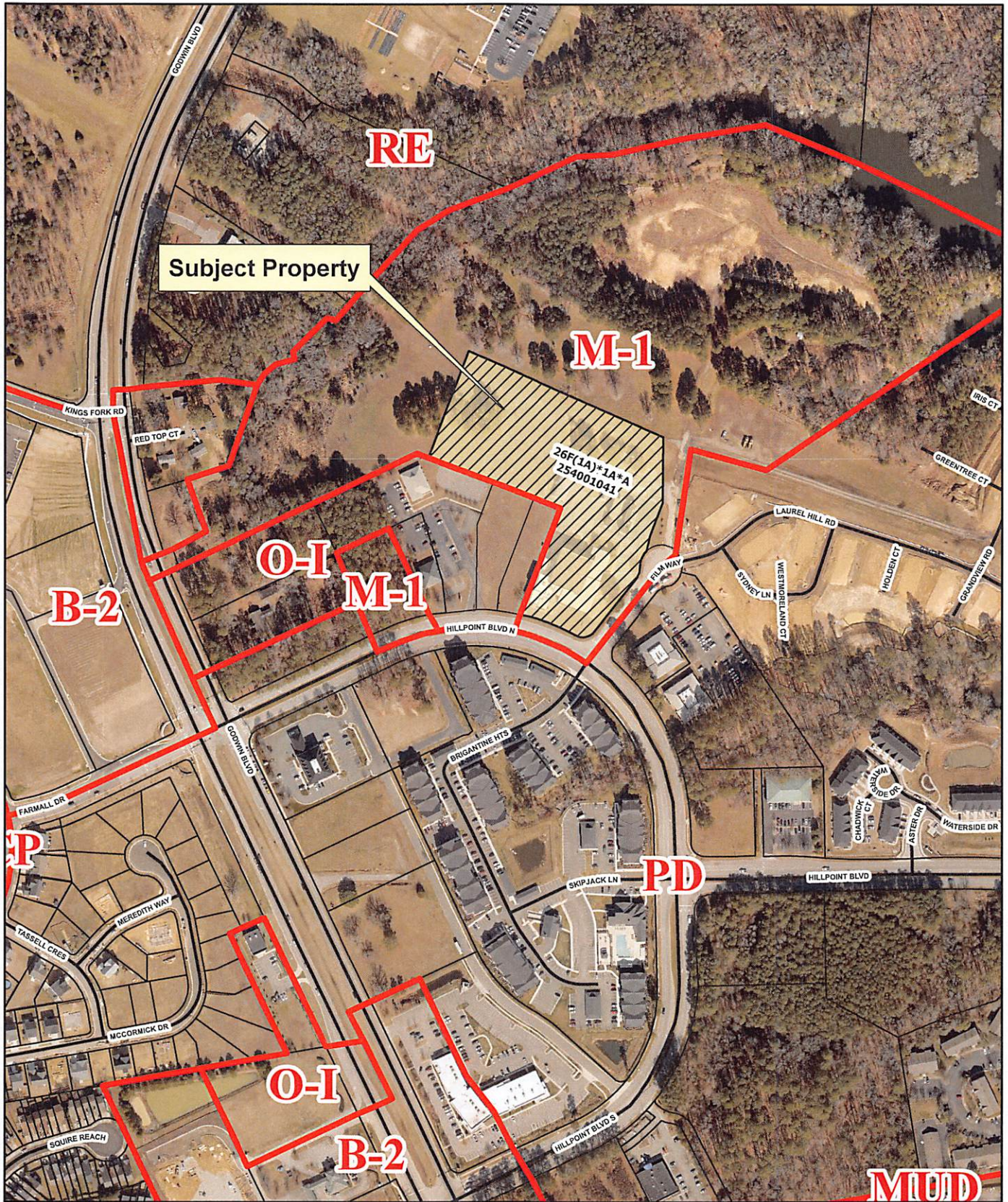
Author: KOSSAI  
Date: 12-31-2025





# ZONING / LAND USE MAP

## RZN2025-00010



Author: KOSSAI  
Date: 12-31-2025

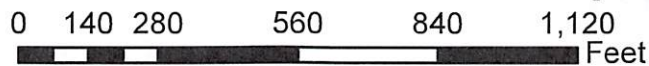


Image: Suffolk Pictometry 2024



## Project Narrative -Rezoning

### 1000 Film Way

New Dominion Pictures operated a film studio at 1000 Film Way for several decades. The owner now desires to sell the property and Mount Lebanon Missionary Baptist Church desires to purchase the property, known as parcel 26F(1A)\*1A\*A, and repurpose the building to a place of worship. The building is suited for such use subject to interior and very minor exterior alterations to accommodate the church. No additional impervious surface is planned and the current parking lot will be restriped. The structures that were used as backgrounds for movie production in the parking lot will be demolished. Along with the main sanctuary, there is classroom space and offices to support the church. No child day care is proposed at this time.

The church is purchasing parcel 26F(1A)\*1A on which Film Way is located and will have perpetual access over and across Film Way to access the main church property. To the extent that any work is necessary for Film Way, stormwater management will be provided as depicted on the rezoning exhibit.



The subject property is identified on the 2045 Comprehensive Plan for Office/institutional uses. The current M-1 light industrial zoning is not compliant with the Comprehensive Plan. Places of worship are considered an appropriate primary use and even a preferred place type. As such, a rezoning from the existing M-1 zoning district to the O-I Office-Institutional District and a conditional use permit are proposed to allow Mount Lebanon Baptist Church to occupy the building for religious purposes.

An important objective of the 2045 Comprehensive Plan is to promote compatibility in land use patterns and encourage the creation of quality places (Section L.4). The current M-1 District is unrestricted and would allow for more intense industrial land uses as a matter of right. For example, warehouses and freight storage, delivery and dispatch services, mini-warehouse, and indoor manufacturing and processing would be allowed without any public input in close proximity to residential areas.

Given the development patterns trending towards a residential area and lower impact office uses on Hillpoint Boulevard, a place of worship would produce a more compatible land use and a sense of place and community than unrestricted M-1 zoning. One important goal of the 2045 Comprehensive Plan for the Office/Institutional area is to locate uses to maximize community access. Establishing a place of worship at this location will produce a more cohesive network of land uses, avoid potential land use conflicts, and would support the goal of maximizing the Hillpoint community access to a place of worship.

Since this proposal is a repurposing of an existing building and parking lot, this is not an appropriate time to create a campus style development. In the event that there is additional development on parcel 26F(1A)\*1A\*A or on parcel 26F(1A)\*1A (both of which would be owned by the church), there would be opportunities to create a campus style settling.

**City of Suffolk**  
**Department of Planning and Community Development**  
**DISCLOSURE STATEMENT FORM**



<b><i>OFFICE INFORMATION: To be completed by staff</i></b>			
Application Number:		Project Name:	
Project Address:		Date Submitted:	

The disclosures contained in this Form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. The completion and submission of this Form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Suffolk requiring action by the City Council or a City board, commission or other body.

***PART 3 - APPLICANT DISCLOSURE: To be completed by Applicant***

**Important Notice: Only complete, hard-copy application forms with original signatures or other approved written consent from all property owners are accepted.**

**APPLICANT INFORMATION**

Applicant Name: THE MOUNT LEBANON MISSIONARY BAPTIST CHURCH

Property Address(es): 1000 FILM WAY

Tax Map Number(s): 26F(1A)\*1A\*A

Account Number(s): 254001041

Is Applicant the owner of the subject property?  YES  NO

Does the Applicant have a Representative?  YES  NO

If yes, name of Representative: GRADY A. PALMER

Is Applicant a corporation, partnership, firm, business, trust, or unincorporated business?  YES  NO

If yes, list the names of all officers, directors, members, trustees, etc. below AND businesses that have a parent-subsiary or affiliated business entity relationship (see definitions below) with the applicant (attach list if necessary):

TRUSTEES FOR THE MOUNT LEBANON MISSIONARY BAPTIST CHURCH: GARY MILTON, CAROLINE DIXON &  
JOSEPH BARNES

**KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE**

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contingent on the subject public action?  YES  NO

If yes, name of the official or employee, and description of the nature of their interest:

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**APPLICANT SERVICES DISCLOSURE**

The Applicant must certify whether the following services are being provided in connection to the applicant, the subject of the application, and/or any business operating, or to be operated on the property. The name of the entity and/or individual providing such services must be identified (attach list if necessary).

SERVICE	YES	NO	SERVICE PROVIDER (Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Real Estate Broker/Agent/Realtor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KELVIN REED
Accounting/Tax Preparation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Architect/Designer/Landscape Architect/Land Planner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barnes Design Group
Construction Contractor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Engineer/Surveyor/Agent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Kimley Horn
Legal Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	GRADY A. PALMER, ESQ.

**PART 4 – PROPERTY OWNER DISCLOSURE**

**PROPERTY OWNER DISCLOSURE**

Property Owner Name: NEW DOMINION PICTURES INC

(as listed on application)

Is the Owner a corporation, partnership, firm, business, trust or an unincorporated business?  YES  NO

If yes, the names of all officers, directors, members, or trustees below AND businesses that have a parent-subsidary or affiliated business entity relationship (see definitions below) with the Applicant (attach list if necessary):

David Stockmeier President, Gene Loving Secretary, Directors: Penelope Valcour David Stockmeier, Gene Loving, New Dominion Pictures, Inc.

Does the subject property have a proposed or pending purchaser?  YES  NO

If yes, name of the proposed or pending purchaser: TRUSTEES OF THE MOUNT LEBANON MISSIONARY BAPTIST CHURCH

**KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE**

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contingent on the subject public action?  YES  NO

If yes, name of the official or employee, and description of the nature of their interest:

**PROPERTY OWNER SERVICES DISCLOSURE**

The Owner must certify whether the following services are being provided in connection to the Applicant, the subject of the application, and/or any business operating, or to be operated on the property. The name of the entity and/or individual providing such services must be identified (attach list if necessary).

SERVICE	YES	NO	SERVICE PROVIDER
	(select one)		(Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Real Estate Broker/Agent/Realtor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Accounting/Tax Preparation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Architect/Designer/Landscape Architect/Land Planner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Construction Contractor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Engineer/Surveyor/Agent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Legal Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>WILLIAMS MULLEN /SPRINGER &amp; CROSS LAW GROUP</u>

**APPLICANT CERTIFICATION**

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
- I understand that I am responsible for updating this Form if any information changes at any point even if a public hearing has not yet been scheduled.
- I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, or any public body or committee in connection with this application.

<b>Applicant Name (Print)</b>	<b>Applicant Signature</b>	<b>Date</b>
THE MOUNT LEBANON MISSIONARY BAPTIST CHURCH		3/11/20

**PROPERTY OWNER CERTIFICATION**

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
- I understand that I am responsible for updating this Form if any information changes at any point even if a public hearing has not yet been scheduled.
- I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, or any public body or committee in connection with this application.

<b>Property Owner Name (Print)</b>	<b>Property Owner Signature</b>	<b>Date</b>
New Dominion Pictures Inc.		3/13/20

"Parent-subsidiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

"Affiliated business entity relationship" means "a relationship, other than parent-subsidiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.



## Public Comment Form

Please be advised that this form is for public comment for RZN2025-010, MOUNT LEBANON MISSIONARY BAPTIST CHURCH, only.

All comments provided will be made available to Planning Commission members, City Council members, and the general public.

All comments provided by 5:00 PM on May 12, 2026, no less than one week prior to the Planning Commission's scheduled meeting, will be made available to Planning Commission members, City Council members, and the general public and included within staff's report. All comments received after the deadline may be presented in person by the commenter at the scheduled public hearing.

First Name	Anissa
Last Name	Davis
Street Address	20823 Rosslare Ct
City	Lexington Park
State	Maryland
Zip Code	20653
Comment	<p>To Whom it May Concern:</p> <p>I am writing on behalf of The Mount at Suffolk. I have been a proud partner at Mount Suffolk for approximately four years. I feel they are necessary for the community. I have worked with disadvantaged families requiring economic support, emotional guidance and life changing experiences. We are a Church that provides that same support in the local community and surrounding areas. I recognized the caring Spirit of the Pastor, First Lady and the Partners the first time I visited. That is one of many reasons why I travel 3½ hours from Maryland each weekend to attend Service. I believe that Church is supposed to change lives and The Mount at Suffolk does this daily.</p> <p>We have been hosting our Sunday Services in several local schools and feel it is time to transition into our own space. This space will allow us to continue the Mission/Vision of changing lives. We need a homestead that we can access, at any time, without permission, and grow the Ministry and provide even greater services to the community. One example; we have Ministries where we provide learning opportunities for our Youth, one of which is our Media Department. This building would allow space and training ground to expand their knowledge. We not only care about Spiritual well being, we care about the physical well being, which is why The Pastor brought my fitness company to host classes for the partners. This space would also allow us to continue to do that and on a regular basis.</p> <p>It is my desire to see The Mount at Suffolk and all its partners to have a home, to be close to the souls they serve. To be a lighthouse, a "hospital" for souls that are lost and need a life changing experience.</p> <p>It is my prayer that your heart can see the importance of our work in the community and the need for us to continue the work we have already begun. We have a greater worker to do and granting us this building will allow us to expand and do the work God has called us to do</p>



## Public Comment Form

Please be advised that this form is for public comment for RZN2025-010, MOUNT LEBANON MISSIONARY BAPTIST CHURCH, **only**.

All comments provided will be made available to Planning Commission members, City Council members, and the general public.

All comments provided by 5:00 PM on May 12, 2026, no less than one week prior to the Planning Commission's scheduled meeting, will be made available to Planning Commission members, City Council members, and the general public and included within staff's report. All comments received after the deadline may be presented in person by the commenter at the scheduled public hearing.

First Name	Rasha
Last Name	Shankle
Street Address	2624 River Watch Dr
City	Suffolk
State	Virginia
Zip Code	23434

**Comment** Dear Members of the Planning Commission,

I am writing as a citizen of Suffolk and a resident of the River Bluff community in the Hillpoint area in support of the proposed rezoning and conditional use permit application for the property located at 1000 Film Way to allow Mount Lebanon Missionary Baptist Church to repurpose the former New Dominion Pictures studio into a place of worship.

I believe this proposal is a positive and beneficial use for the property and aligns well with the vision outlined in the City's 2045 Comprehensive Plan. Transitioning the property from unrestricted M-1 Light Industrial zoning to an Office-Institutional designation will create a more compatible and community-focused use for the surrounding area.

As a resident of the Hillpoint area, I believe this proposal represents thoughtful growth for Suffolk by transforming an existing property into a use that promotes community engagement, stability, and accessibility. A place of worship in this location would provide a positive gathering space for families and residents while contributing to the overall quality of life within our growing community.

A place of worship provides value far beyond Sunday services. Churches often serve as gathering spaces, centers for outreach, mentorship, education, and support for residents. This proposed use would strengthen the sense of community within the Hillpoint area while minimizing potential land use conflicts that could arise from heavier industrial uses currently permitted under the existing zoning classification.

I also support the fact that this project primarily repurposes an existing building and parking lot rather than creating significant new development. The reuse of the structure demonstrates responsible stewardship of the property while limiting

additional impacts on surrounding neighborhoods. The planned improvements, including restriping the parking lot and removing outdated movie set structures, will enhance the appearance and functionality of the site.

Additionally, the proposed church use appears far more appropriate for the surrounding development patterns than unrestricted industrial operations such as warehouses, freight storage, or manufacturing facilities. The church's presence would contribute positively to the area's character and support the Comprehensive Plan's goal of creating quality places and maximizing community access to institutional uses.

For these reasons, I respectfully encourage the Planning Commission to approve the rezoning and conditional use permit for 1000 Film Way.

Thank you for your consideration and continued service to the citizens of Suffolk.



## Public Comment Form

Please be advised that this form is for public comment for RZN2025-010, MOUNT LEBANON MISSIONARY BAPTIST CHURCH, **only**.

All comments provided will be made available to Planning Commission members, City Council members, and the general public.

All comments provided by 5:00 PM on May 12, 2026, no less than one week prior to the Planning Commission's scheduled meeting, will be made available to Planning Commission members, City Council members, and the general public and included within staff's report. All comments received after the deadline may be presented in person by the commenter at the scheduled public hearing.

First Name	Jonathan
Last Name	Williams
Street Address	3212 Joplin Ln
City	Chesapeake
State	Virginia
Zip Code	23323
Comment	The church has been an advocate for change in the Suffolk community and beyond. I've witnessed lives changed and if all of that can happen from the church without a building, I can imagine that even greater things will come from them with the building.

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE TO REZONE AND AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUFFOLK TO CHANGE THE ZONING FROM M-1, LIGHT INDUSTRIAL (CONDITIONAL) ZONING DISTRICT, TO O-I, OFFICE-INSTITUTIONAL (CONDITIONAL) ZONING DISTRICT FOR PROPERTY LOCATED AT 1000 FILM WAY, ZONING MAP 26F, PARCEL (1A)\*1A\*A, ACCOUNT NUMBER 254001041; RZN2025-010**

WHEREAS, Dr. Kimberly Williams, Mount Lebanon Missionary Baptist Church, applicant, on behalf of New Dominion Pictures LLC, property owner, has requested to rezone and amend the official zoning map of the City of Suffolk from M-1, Light Industrial (Conditional) zoning district, to O-I, Office-institutional (Conditional) zoning district for property located at 1000 Film Way, Zoning Map 26F, Parcel (1A)\*1A\*A, which land is depicted on Exhibit "C"; and,

WHEREAS, the proposed rezoning and amendment to the official zoning map have been advertised and reviewed by the Planning Commission in compliance with the requirements of state law; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A"; and,

WHEREAS, a public hearing before City Council was duly advertised as required by law and held on the \_\_\_\_ day of \_\_\_\_\_ at which public hearing the public was presented with the opportunity to comment on the proposed rezoning.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Exhibit "A", "Planning Commission Recommendation", Exhibit "B", "Property Map", Exhibit "C", "Rezoning Exhibit", which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

A. Council finds that the proposed rezoning is reasonable, and warranted due to a mistake or change in circumstances affecting the property; and has considered the following factors and finds that the proposed rezoning does not conflict with:

1. the existing use and character of property within the City;
2. the Comprehensive Plan;
3. the suitability of the property for various uses;
4. the trends of growth or change;
5. the current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;

6. the transportation requirements of the community;
7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;
8. the conservation of natural resources;
9. the preservation of flood plains;
10. the preservation of agricultural and forestal land;
11. the conservation of properties and their values;
12. the encouragement of the most appropriate use of land throughout the City; and,
13. the expressed purpose of the City's Unified Development Ordinance (UDO) as set out in Section 31-102 of the UDO, as amended, and Section 15.2-2283 of the Code of Virginia, (1950), as amended.

Section 3. Rezoning.

1. The conditions proffered in the attached Exhibit "B" be, and are hereby accepted.
2. The property as shown on the attached Exhibit "C" is hereby, rezoned and the official zoning map be, and is hereby, amended from M-1, Light Industrial (Conditional) zoning district to O-I, Office-Institutional (Conditional) zoning district.
3. The foregoing rezoning and amendment to the official zoning map are expressly made subject to the performance of the conditions hereby proffered and accepted. These conditions shall remain in effect until a subsequent amendment changes the zoning of the property: however, such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

Section 4. Recordation.


A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of the Circuit Court of the City of Suffolk, Virginia.

This ordinance shall be effective upon passage and shall not be published or codified.

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
Erika S. Dawley, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
William E. Hutchings, Jr., City Attorney

**EXHIBIT "A"**

**RESOLUTION NO. 26-05-02**

**CITY OF SUFFOLK PLANNING COMMISSION**

**A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION  
TO CITY COUNCIL RELATING TO REZONING REQUEST  
RZN2025-010- (CONDITIONAL)  
TO CHANGE THE ZONING FROM M-1, LIGHT INDUSTRIAL (CONDITIONAL)  
ZONING DISTRICT, TO O-I, OFFICE INSTRUCTIONAL (CONDITIONAL) ZONING  
DISTRICT, FOR PROPERTY LOCATED AT 1000 FILM WAY, ZONING MAP 26F,  
PARCEL(1A)\*1A\*A, ACCOUNT NUMBER 254001041**

**WHEREAS**, Dr. Kimberly Williams, Mount Lebanon Missionary Baptist Church, applicant, on behalf of New Dominion Pictures LLC, property owner, has requested to change the zoning from M-1, Light Industrial Zoning District, to O-I, Office Institutional (Conditional) Zoning District, on property located at 1000 Film Way, Zoning Map 26F, Parcel (1A)\*1A\*A; and

**WHEREAS**, the procedural requirements for the consideration of this request by the Planning Commission have been met.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

- A. The Suffolk Planning Commission finds that the proposed rezoning is reasonable, and warranted due to a change in circumstances affecting the property, and has considered the following factors and finds that the proposed rezoning does not conflict with:
1. the existing use and character of property within the City;
  2. the Comprehensive Plan;
  3. the suitability of the property for various uses;
  4. the trends of growth or change;
  5. the current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;
  6. the transportation requirements of the community;
  7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;
  8. the conservation of natural resources;

9. the preservation of flood plains;
10. the preservation of agricultural and forestal land;
11. the conservation of properties and their values;
12. the encouragement of the most appropriate use of land throughout the City;
13. the expressed purpose of the City's Unified Development Ordinances as set out in Section 31-102 of the Code of the City of Suffolk (1998), as amended, and Section 15.2-2283 of the Code of Virginia, (1950), as amended ("Va. Code").

B. The Suffolk Planning Commission makes the following specific findings to the conditions of the rezoning:

1. the proposed rezoning itself gives rise to the need for the proffered conditions;
2. the proffered conditions have a reasonable relationship to the rezoning; and
3. the proffered conditions are in conformity with the 2045 Comprehensive Plan as adopted by City Council on December 18, 2024.

Section 2. Recommendation to Council

The Planning Commission recommends to City Council that the request, RZN2025-010 (Conditional), be:

- a. Granted as submitted, and the City Council adopt the proposed Ordinance without modification.
- b. Denied, and that Council not adopt the proposed Ordinance.
- c. Granted with the modifications set forth on the attached listing of specific recommendations, and that Council adopt the proposed Ordinance with such modifications.

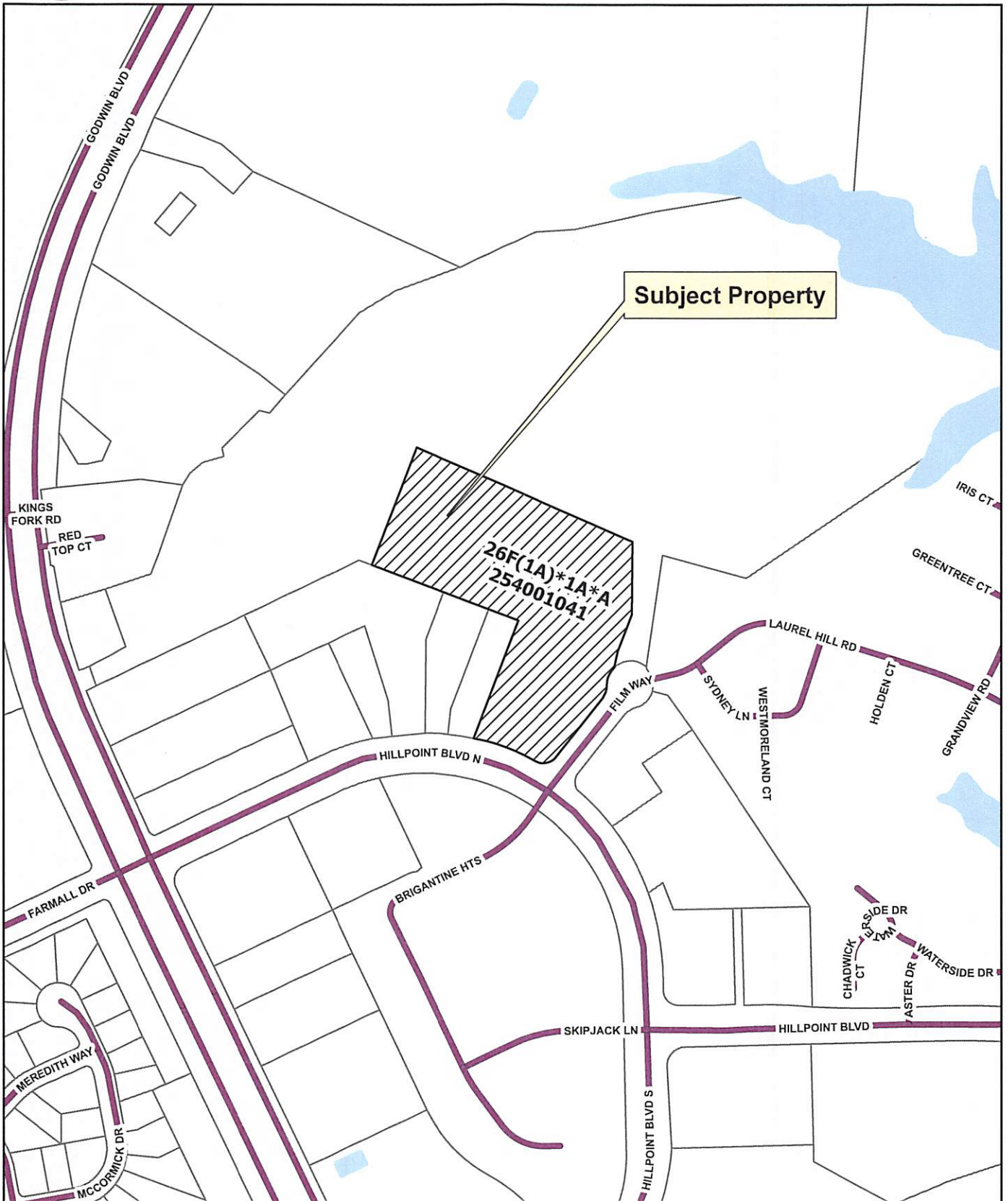
READ AND PASSED: May 21, 2026

TESTE: 

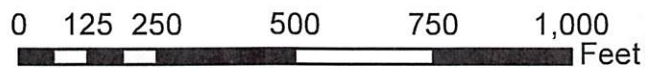


# PROPERTY MAP RZN2025-00010

EXHIBIT B



Author: KOSSAI  
Date: 12-31-2025



VOLUNTARY PROFFER STATEMENT

I hereby voluntarily proffer that the development of the property owned by me proposed for reclassification under this application shall be in strict accordance with the conditions set forth below.

The following conditions (add additional sheets if necessary) are voluntarily proffered for the reclassification of property identified as Tax Map Number(s) 26F(1A)\*1A\*A \_\_\_\_\_, Block Number \_\_\_\_\_, Account Number(s) 254001041 \_\_\_\_\_.

- 1. The following uses are permitted in the O-I zoning district and to ensure future compatibility with surrounding properties a conditional use permit shall be required:


Hotel and motel

College or university

Medical, general hospitals

Schools, boarding

Flex space

Applicant Signature: 

Date: 3-13-26

Property Owner Signature: 

Date: 3/13/2026

Property Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**AGENDA: June 17, 2026, Regular Session**

**ITEM: Public Hearing** – An ordinance to grant a Conditional Use Permit to establish a place of worship (large, at least 6,000 square feet in the main sanctuary) on property located at 1000 Film Way, Zoning Map 26F, Parcel (1A)\*1A\*A, Account Number 254001041; CUP2025-021

Attached for your consideration is information pertaining to Conditional Use Permit request CUP2025-021, submitted by Dr. Kimberly Williams, Mount Lebanon Missionary Baptist Church, applicant, on behalf of New Dominion Pictures LLC, property owner, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish a place of worship (large, at least 6,000 square feet in the main sanctuary) on property located at 1000 Film Way at Zoning Map 26F, Parcel (1A)\*1A\*A. The affected area is further identified as being located in the Chuckatuck Voting Borough, zoned M-1, Light Industrial Zoning District. The 2045 Comprehensive Plan designates this area as part of the Northern Growth Area, Office-Institutional Land Use Type.

The Planning Commission, at their May 21, 2026 meeting, through Resolution No. 26-05-03, voted 7 to 0 to recommend **approval** of this request with conditions. Therefore, this item is presented to City Council with a recommendation of approval from the Planning Commission.

**ATTACHMENTS:**

- Staff Report
- General Location Map
- Zoning / Land Use Map
- Narrative
- Disclosure Form
- Public Comments
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Property Map
- Exhibit C – “Preliminary Site Plan- No Disturbance”
- Exhibit D – “The Mount Suffolk, Fire Protection Plan”

# STAFF REPORT

## DESCRIPTION

**CONDITIONAL USE PERMIT REQUEST:** Conditional Use Permit request, CUP2025-021, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to establish a place of worship (large, at least 6,000 square feet in the main sanctuary).

**APPLICANT:** Submitted by Dr. Kimberly Williams, Mount Lebanon Missionary Baptist Church, applicant, on behalf of Dominion Pictures LLC, property owner.

**LOCATION:** The subject property is located at 1000 Film Way, Zoning Map 26F, Parcel (1A)\*1A\*A.

**PRESENT ZONING:** The subject parcel is zoned M-1, Light Industrial (Conditional) Zoning District.

**EXISTING LAND USE:** The property is 6.08 acres in size and contains a vacant movie studio building (27,000 square feet in size), outdoor film set structures, and an existing parking lot.

**PROPOSED LAND USE:** The applicant proposes to renovate the existing structure to establish a place of worship, Mount Lebanon Missionary Baptist Church. The applicant has submitted a concurrent Rezoning Request, RZN2025-010, in order to rezone the subject property from M-1, Light Industrial to O-I, Office-institutional, since places of worship are not permitted in the M-1 zoning district. Approval of CUP2025-021 is contingent upon the approval of RZN2025-010.

### **SURROUNDING LAND USES:**

- North: Undeveloped land zoned M-1, Light Industrial Zoning District.
- South: Port 58 Apartment Complex zoned PD, Planned Development Overlay Zoning District.
- East: Hillpoint Preserve and medical offices, zoned PD, Planned Development Overlay Zoning District.
- West: Medical offices zoned O-I, Office-Institutional Zoning District.

**COMPREHENSIVE PLAN:** The City's 2045 Comprehensive Plan designates this area as part of the Central Growth Area, Office-institutional Land Use Type.

**CHESAPEAKE BAY PRESERVATION AREA DESIGNATION:** The property is within the Chesapeake Bay Preservation Area Overlay District (CBPA) and designated as a Resource Management Area (RMA).

**FLOOD PLAIN:** The property falls within Flood Zone X (areas of minimal risk) as shown on Flood Insurance Rate Map (FIRM) Panel 5101560112E of the City of Suffolk, Virginia 2015 Flood Map.

**PUBLIC NOTICE:** This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the

applicable provisions of the Unified Development Ordinance. Notice to the applicant, containing a copy of the staff report, was also sent May 15, 2026 and June 12, 2026.

**CASE HISTORY:** The subject property was previously conditionally rezoned in 1986 (RR12-86) The rezoning request was to rezone the subject property from RR, Rural Residential to M-1, Light Industrial (Conditional) Zoning District, was to for the purpose of establishing a film studio facility. The proffer statement was subsequently amended in 1991.

### **STAFF ANALYSIS**

#### **ISSUE**

The applicant is proposing to establish a place of worship (large, at least 6,000 square feet in the main sanctuary) on the subject property at 1000 Film Way. As the proposed use is not permitted in the M-1, Light Industrial Zoning District, the applicant is seeking a concurrent conditional rezoning (RZN2025-010) in order to rezone the subject property to O-I, Office-institutional.

The applicant is proposing to renovate the existing structure to be suitable for a church, as the building was the former location of the New Dominion Pictures Film Studio. The applicant, Mount Lebanon Baptist Missionary Church, will hold religious services on Sundays from 7:00 AM to 1:00 PM. There will also be services and bible study held throughout the week.

#### **CONSIDERATIONS AND CONCLUSIONS**

1. Section 31-406 of the Unified Development Ordinance (UDO) requires that a Conditional Use Permit (CUP) be obtained to establish a “place of worship, large, at least 6,000 square feet,” use within the O-I, Office-institutional District. The proposed church is classified as such and thus will require a CUP.
2. The scope of the proposed development includes interior renovations, removal of set structures, and re-striping to existing parking lot. Given that the applicant’s proposed scope of work does not involve land disturbance, the Department of Public Works, Engineering Division, has no comments regarding stormwater management or erosion and sediment control at this time.
3. A traffic memorandum was submitted with the application, and no road frontage improvements are required. The traffic memorandum is analyzed in detail further in this report. The Department of Public Works, Traffic Division, reviewed and approved the application.
4. The subject parcel is currently served by public water and sewer. A Public Facilities Report was submitted with the application, which stated additional fixtures and internal plumbing modifications are proposed as part of this use. The site appears to have adequate capacity for the proposed use. The Department of Public Utilities has reviewed this request and stated that there are no foreseeable impacts to the City’s water and sewer infrastructure from the proposed use.

5. Pursuant to Section 31-306 of the Unified Development Ordinance (UDO), a Conditional Use Permit provides a means of authorizing certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts by-right, but which may be permitted in specific locations under certain conditions by approval of the City Council.

Section 31-306(c) of the UDO establishes eight criteria that should be satisfied for Conditional Use Permit approval:

- a) *The proposed conditional use shall be in compliance with all regulations of the applicable zoning district, the provisions of Article 6 of the ordinance and any applicable supplemental use standards as set forth in Article 7 of the Ordinance.*

The proposed use, a place of worship (large, at least 6,000 square feet in main sanctuary) is permitted only with the approval of a Conditional Use Permit in the O-I, Office-institutional Zoning District per the City's Unified Development Ordinance. There are no supplemental use standards for places of worship set forth in Article 7 of the UDO.

- b) *The proposed conditional use shall conform to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, or shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration should be given to the location, type and height of buildings or structures, the type and extent of landscaping and screening on the site and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.*

According to the 2045 Comprehensive Plan, the subject property is designated as Office-institutional Land Use Type. The purpose of the Office-institutional is make the most efficient use of existing infrastructure and provide for orderly transitions and buffers between uses. The Office-institutional designation indicates the subject property is an appropriate location for public or private institutional and civic uses, of which a primary use is places of worship. As mentioned prior, the applicant is proposing to renovate the existing structure into the proposed church. The proposed zoning district will make the most efficient use of existing infrastructure and provide for orderly transition between residential and non-residential uses. Therefore, the proposed use is consistent with the Comprehensive Plan and will not be more injurious to the neighborhood than other uses permitted by a matter of right within the proposed O-I zoning district.

- c) *Adequate measures shall be taken to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.*

The property has existing access from Film Way and is served by an ingress/egress

easement stemming from the cul-de-sac (note the applicant is the contract purchaser for the subject property and the larger northerly parcel on which the easement is located). There are two existing entrances serving the subject parcel. Due to the layout of the existing parking lot and the applicant's proposed locations for individual parking spaces, to ensure safe and orderly traffic circulation, the southerly site driveway on Film Way will be "entrance only", with the northerly driveway to function as "exit only". Staff have proposed a condition of approval to ensure both entrance and exit driveways are properly marked and signed to facilitate orderly ingress and egress. As noted in the traffic memo, the applicant analyzed the proposed use based upon the square footage of the existing structure. Given the proposed use is a church, the traffic memo analyzed vehicular trips at peak AM and PM hours on a weekday and trips on peak AM and PM hours on a Sunday. This exercise resulted in a potential daily trip increase on Film Way by 86 trips, and the proposed use is anticipated to generate potentially 303 site trips on Sundays. Based on the latest data from the Virginia Department of Transportation, Film Way carries approximately 505 trips per day, and the subject section of Hillpoint Boulevard carries 640 trips per day, with higher peak hour traffic volume on the weekdays due to the adjacent business and residential uses. While the trips generated by the church on Sundays are significant based on the average traffic volume on Film Way, note that the trips generated by the church at Sunday peak hour do not align with weekday peak hour trips, and, therefore, it is reasonable to conclude that impacts on overall traffic patterns on Film Way and Hillpoint Boulevard are not anticipated to adversely impact traffic.

- d) *The proposed use shall not be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.*

The proposed use is not anticipated to be noxious as majority of the use will be contained to the interior of the existing building, and there will be minimal outside activities, if any at all. The applicant notes in their narrative that they will do not plan to hold late-night events that would generate loud noise. Therefore, the proposed use is not anticipated to be noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.

- e) *The proposed use shall not be injurious to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the prosperity values within the neighborhood.*

The proposed use is not expected to be injurious to the use and enjoyment of the surrounding properties. The applicant will renovate the existing structure on site to function as a church. The property to the immediate north is undeveloped land, which the applicant also will own as part of the purchase of the subject property. To the west of the property are a variety of medical offices which are zoned O-I, and to the east of the subject property is the Hillpoint Preserve neighborhood and several businesses. The proposed church is consistent with the surrounding uses and character of the Hillpoint community.

- f) *The establishment of the proposed use shall not impede the orderly development and*

*improvement of surrounding property for uses permitted within the zoning district.*

The proposed use is not expected to impede orderly development and improvement of the surrounding properties. The subject property is designated as Office-institutional land use type in the 2045 Comprehensive Plan. The proposed zoning for the subject parcel is O-I, which permits by-right uses more intense than a place of worship such as hotels and motels, medical general hospital, and restaurants. Note that several of these more intense uses are proposed to be subject to proffered restrictions. Uses permitted as a matter of right in the M-1 zoning district, which the subject property is currently designated, zoning district are more intense than the proposed church use, and by-right industrial uses could potentially generate more traffic and be noxious in nature to the nearby neighborhood. Therefore, the proposed place of worship is not anticipated to impede the orderly development and improvement of the surrounding properties.

- g) *The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.*

The proposed use is not anticipated to be detrimental or endanger the public health, safety, or the general welfare of the community. As previously stated, the proposed church will be indoors and will see its most intense activity Sunday mornings.

- h) *The public interest and welfare supporting the proposed conditional use shall be sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.*

The public interest and welfare are not anticipated to be compromised by the proposed place of worship. As previously stated, the proposed use is a primary use for the Office-institutional Land Use type. The proposed use is not anticipated to adversely impact the public interest and welfare of the community.

## **RECOMMENDATION**

In conclusion, this Conditional Use Permit does sufficiently satisfy the criteria set forth in Sections 31-306 and 31-406 of the Unified Development Ordinance. The proposed use is aligned with the 2045 Comprehensive Plan and the intent of the Office/Intuition zoning district. The proposed place of worship is not anticipated to generate any adverse impacts to the surrounding properties. Therefore, due to the considerations and conclusions noted herein, staff recommends approval of Conditional Use Permit request CUP2025-021, subject to the following conditions;

1. This Conditional Use Permit is granted specifically to establish a place of worship (large, at least 6,000 square feet in the main sanctuary) for property located at 1000 Film Way, Zoning Map 26F, Parcel (1A)\*1A\*A, Account Number 254001041, as shown on Exhibit "B", "Property Map".

2. Individual parking spaces and drive aisles shall be properly striped and marked in accordance with the concept plan prepared by Kimley-Horn titled “Preliminary Site Plan-No Disturbance” dated March 25, 2026 and attached as Exhibit “C”. Parking shall be permitted only in designated parking spaces, and no parking shall be permitted on the grass or on Film Way. No land disturbance, including asphalt or concrete removal, shall occur without review and approval from the City of Suffolk.
3. Signage stating “Exit Only” and “Entrance Only” shall be posted to indicate the direction of traffic at each applicable site entrance in accordance with Exhibit “C”.
4. The occupancy load for the proposed use shall be approved by the City’s Building Official and Fire Marshal in accordance with applicable state building and fire code requirements, and shall not exceed 256 seats in the main sanctuary, in accordance with the proposed sanctuary layout titled “The Mount Suffolk, Fire Protection Plan” dated February 12, 2026 and attached as Exhibit “D”. The applicant shall clearly post the occupancy load of the establishment and shall monitor the number of occupants to ensure compliance.
5. The applicant shall obtain all necessary permits prior to development and operation of the proposed use, and shall comply with applicable codes, ordinances and regulations of federal, state and local government.
6. This Conditional Use Permit shall not be construed to authorize the operation of an accessory child day care center to the place of worship, as defined within the Unified Development Ordinance.

The Planning Commission, at their May 21, 2026 meeting, through Resolution No. 26-05-03, voted 7 to 0 to recommend **approval** of this request. Therefore, this item is presented to City Council with a recommendation of approval from the Planning Commission.

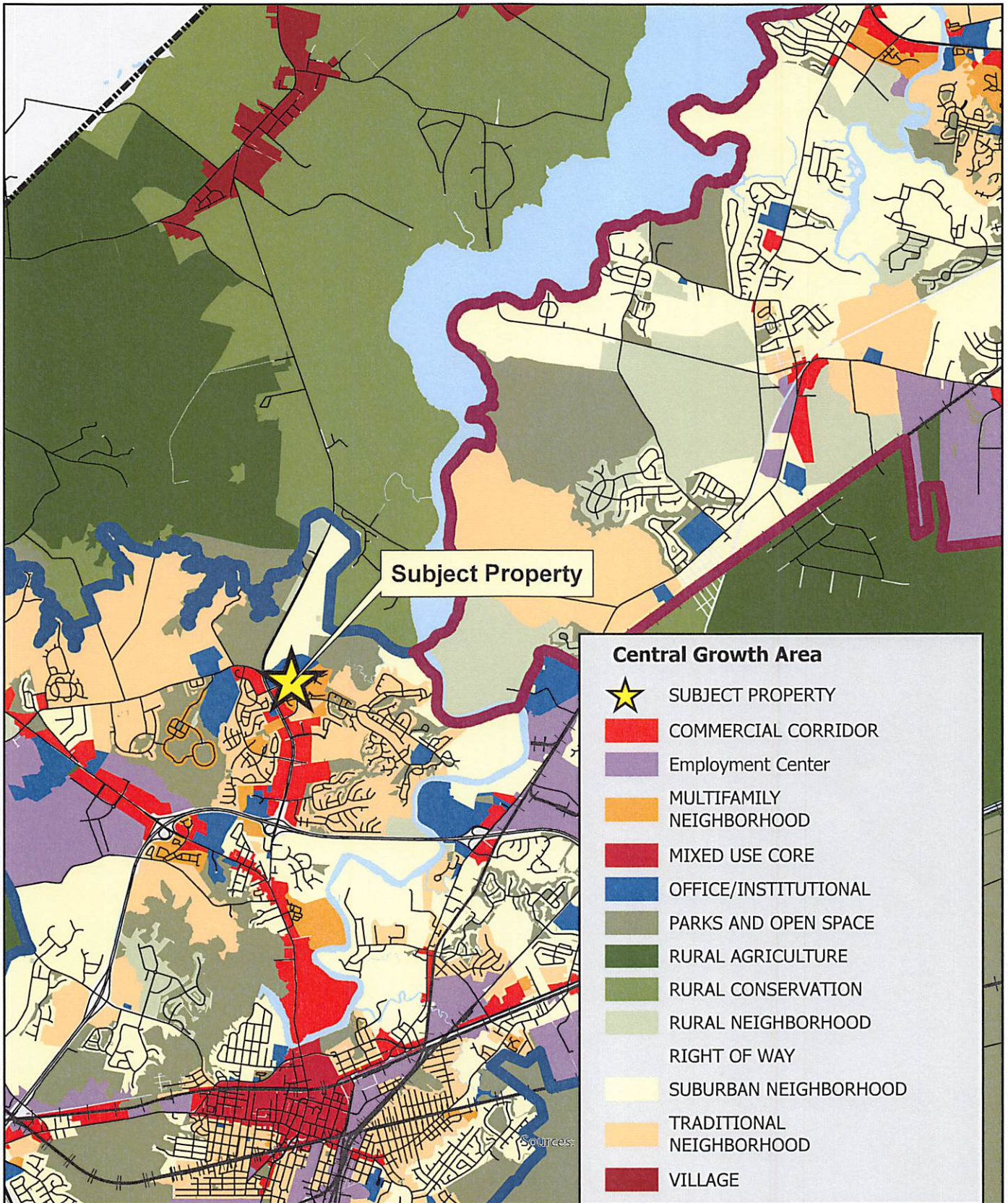
#### Attachments

- General Location Map
- Zoning / Land Use Map
- Narrative Use of Property
- Disclosure Statement Form
- Public Comments
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – Property Map
- Exhibit C – “Preliminary Site Plan-No Disturbance”
- Exhibit D – “The Mount Suffolk, Fire Protection Plan”



# GENERAL LOCATION MAP

## CUP2025-00021



Author: KOSSAI  
Date: 12-31-2025

0 0.5 1 2 3 4 Miles





## **Project Narrative**

### **1000 Film Way**

New Dominion Pictures operated a film studio at 1000 Film Way for several decades. The owner now desires to sell the property and Mount Lebanon Missionary Baptist Church desires to purchase the property and convert the building to a place of worship. The building is suited for such use subject to interior and minor exterior alterations to accommodate the church. No additional impervious surface is planned and the current parking lot will be restriped. The structures that were used as backgrounds for movie production in the parking lot will be demolished. The church would occupy roughly 27,000 sq ft of the building to include a main worship center and various related offices and uses customary for places of worship. Along with the main sanctuary, there is classroom space and offices to support the church. No child day care is proposed at this time.

The applicant will have the right in perpetuity to use the access road leading to the Film Way cul de sac that will provide a secondary access point.

The subject property is identified on the 2045 Comprehensive Plan for Office/institutional uses. The current M-1 light industrial zoning is not compliant with the Comprehensive Plan. Places of worship are considered an appropriate primary use and even a preferred place type. As such, a rezoning from the existing M-1 zoning district to the O-I Office-Institutional District and a conditional use permit are proposed to allow Mount Lebanon Baptist Church to occupy the building for religious purposes.

An important objective of the 2045 Comprehensive Plan is to promote compatibility in land use patterns and encourage the creation of quality places (Section L.4). The current M-1 District is unrestricted and would allow for more intense industrial land uses as a matter of right. For example, warehouses and freight storage, delivery and dispatch services, mini-warehouse, and indoor manufacturing and processing would be allowed without any public input in close proximity to residential areas.

Given the development patterns trending towards a residential area and lower impact office uses on Hillpoint Boulevard, a place of worship would produce a more compatible land use and a sense of place and community than unrestricted M-1 zoning. One important goal of the 2045 Comprehensive Plan for the Office/Institutional area is to locate uses to maximize community access. Establishing a place of worship at this location will produce a more cohesive network of land uses, avoid potential land use conflicts, and would support the goal of maximizing the Hillpoint community access to a place of worship.

**City of Suffolk**  
**Department of Planning and Community Development**  
**DISCLOSURE STATEMENT FORM**



<b><i>OFFICE INFORMATION: To be completed by staff</i></b>			
Application Number:		Project Name:	
Project Address:		Date Submitted:	

The disclosures contained in this Form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. The completion and submission of this Form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Suffolk requiring action by the City Council or a City board, commission or other body.

***PART 3 - APPLICANT DISCLOSURE: To be completed by Applicant***

**Important Notice: Only complete, hard-copy application forms with original signatures or other approved written consent from all property owners are accepted.**

**APPLICANT INFORMATION**

Applicant Name: THE MOUNT LEBANON MISSIONARY BAPTIST CHURCH

Property Address(es): 1000 FILM WAY

Tax Map Number(s): 26F(1A)\*1A\*A

Account Number(s): 254001041

Is Applicant the owner of the subject property?  YES  NO

Does the Applicant have a Representative?  YES  NO

If yes, name of Representative: GRADY A. PALMER

Is Applicant a corporation, partnership, firm, business, trust, or unincorporated business?  YES  NO

If yes, list the names of all officers, directors, members, trustees, etc. below AND businesses that have a parent-subsidary or affiliated business entity relationship (see definitions below) with the applicant (attach list if necessary):

TRUSTEES FOR THE MOUNT LEBANON MISSIONARY BAPTIST CHURCH: GARY MILTON, CAROLINE DIXON &  
JOSEPH BARNES

**KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE**

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contingent on the subject public action?  YES  NO

If yes, name of the official or employee, and description of the nature of their interest:

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**APPLICANT SERVICES DISCLOSURE**

The Applicant must certify whether the following services are being provided in connection to the applicant, the subject of the application, and/or any business operating, or to be operated on the property. The name of the entity and/or individual providing such services must be identified (attach list if necessary).

SERVICE	YES (select one)	NO	SERVICE PROVIDER (Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Real Estate Broker/Agent/Realtor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KELVIN REED
Accounting/Tax Preparation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Architect/Designer/Landscape Architect/Land Planner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barnes Design Group
Construction Contractor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Engineer/Surveyor/Agent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Kimley Horn
Legal Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	GRADY A. PALMER, ESQ.

**PART 4 – PROPERTY OWNER DISCLOSURE**

**PROPERTY OWNER DISCLOSURE**

Property Owner Name: NEW DOMINION PICTURES INC  
 (as listed on application)

Is the Owner a corporation, partnership, firm, business, trust or an unincorporated business?  YES  NO

If yes, the names of all officers, directors, members, or trustees below AND businesses that have a parent-subsidary or affiliated business entity relationship (see definitions below) with the Applicant (attach list if necessary):

David Stockmeier President, Gene Loving Secretary, Directors: Penelope Valcour David Stockmeier, Gene Loving, New Dominion Pictures, Inc.

Does the subject property have a proposed or pending purchaser?  YES  NO

If yes, name of the proposed or pending purchaser: TRUSTEES OF THE MOUNT LEBANON MISSIONARY BAPTIST CHURCH

**KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE**

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contingent on the subject public action?  YES  NO

If yes, name of the official or employee, and description of the nature of their interest:


**PROPERTY OWNER SERVICES DISCLOSURE**

The Owner must certify whether the following services are being provided in connection to the Applicant, the subject of the application, and/or any business operating, or to be operated on the property. The name of the entity and/or individual providing such services must be identified (attach list if necessary).

SERVICE	YES (select one)	NO	SERVICE PROVIDER (Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Real Estate Broker/Agent/Realtor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Accounting/Tax Preparation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Architect/Designer/Landscape Architect/Land Planner	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Construction Contractor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Engineer/Surveyor/Agent	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Legal Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>WILLIAMS MULLEN /SPRINGER &amp; CROSS LAW GROUP</u>

**APPLICANT CERTIFICATION**

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
- I understand that I am responsible for updating this Form if any information changes at any point even if a public hearing has not yet been scheduled.
- I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, or any public body or committee in connection with this application.

<b>Applicant Name (Print)</b>	<b>Applicant Signature</b>	<b>Date</b>
THE MOUNT LEBANON MISSIONARY BAPTIST CHURCH		3/11/20

**PROPERTY OWNER CERTIFICATION**

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
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<b>Property Owner Name (Print)</b>	<b>Property Owner Signature</b>	<b>Date</b>
New Dominion Pictures Inc.		3/13/20

"Parent-subsiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

"Affiliated business entity relationship" means "a relationship, other than parent-subsiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.



## Public Comment Form

Please be advised that this form is for public comment for CUP2025-021, MOUNT LEBANON MISSIONARY BAPTIST CHURCH, only.

All comments provided will be made available to Planning Commission members, City Council members, and the general public.

All comments provided by 5:00 PM on May 12, 2026, no less than one week prior to the Planning Commission's scheduled meeting, will be made available to Planning Commission members, City Council members, and the general public and included within staff's report. All comments received after the deadline may be presented in person by the commenter at the scheduled public hearing.

First Name	Anissa
Last Name	Davis
Street Address	20823 Rosslare Ct
City	Lexington Park
State	Maryland
Zip Code	20653

**Comment**

To Whom it May Concern:

I am writing on behalf of The Mount at Suffolk. I have been a proud partner at Mount Suffolk for approximately four years. I 100% would love for our church to receive a conditional use permit. We are a Church that provides that same support in the local community and surrounding areas. I recognized the caring Spirit of the Pastor, First Lady and the Partners the first time I visited. That is one of many reasons why I travel 3½ hours from Maryland each weekend to attend Service. I believe that Church is supposed to change lives and The Mount at Suffolk does this daily.

We have been hosting our Sunday Services in several local schools and feel it is time to transition into our own space. This space will allow us to continue the Mission/Vision of changing lives. We need a homestead that we can access, at any time, without permission, and grow the Ministry and provide even greater services to the community. One example; we have Ministries where we provide learning opportunities for our Youth, one of which is our Media Department. This building would allow space and training ground to expand their knowledge. We not only care about Spiritual well being, we care about the physical well being, which is why The Pastor brought my fitness company to host classes for the partners. This space would also allow us to continue to do that and on a regular basis.

It is my desire to see The Mount at Suffolk and all its partners to have a home, to be close to the souls they serve. To be a lighthouse, a "hospital" for souls that are lost and need a life changing experience.

It is my prayer that your heart can see the importance of our work in the community and the need for us to continue the work we have already begun. We have a greater worker to do and granting us this building will allow us to expand and do the work God has called us to do



## Public Comment Form

Please be advised that this form is for public comment for RZN2025-010, MOUNT LEBANON MISSIONARY BAPTIST CHURCH, only.

All comments provided will be made available to Planning Commission members, City Council members, and the general public.

All comments provided by 5:00 PM on May 12, 2026, no less than one week prior to the Planning Commission's scheduled meeting, will be made available to Planning Commission members, City Council members, and the general public and included within staff's report. All comments received after the deadline may be presented in person by the commenter at the scheduled public hearing.

First Name	Rasha
Last Name	Shankle
Street Address	2624 River Watch Dr
City	Suffolk
State	Virginia
Zip Code	23434

**Comment**

Dear Members of the Planning Commission,

I am writing as a citizen of Suffolk and a resident of the River Bluff community in the Hillpoint area in support of the proposed rezoning and conditional use permit application for the property located at 1000 Film Way to allow Mount Lebanon Missionary Baptist Church to repurpose the former New Dominion Pictures studio into a place of worship.

I believe this proposal is a positive and beneficial use for the property and aligns well with the vision outlined in the City's 2045 Comprehensive Plan. Transitioning the property from unrestricted M-1 Light Industrial zoning to an Office-Institutional designation will create a more compatible and community-focused use for the surrounding area.

As a resident of the Hillpoint area, I believe this proposal represents thoughtful growth for Suffolk by transforming an existing property into a use that promotes community engagement, stability, and accessibility. A place of worship in this location would provide a positive gathering space for families and residents while contributing to the overall quality of life within our growing community.

A place of worship provides value far beyond Sunday services. Churches often serve as gathering spaces, centers for outreach, mentorship, education, and support for residents. This proposed use would strengthen the sense of community within the Hillpoint area while minimizing potential land use conflicts that could arise from heavier industrial uses currently permitted under the existing zoning classification.

I also support the fact that this project primarily repurposes an existing building and parking lot rather than creating significant new development. The reuse of the structure demonstrates responsible stewardship of the property while limiting

additional impacts on surrounding neighborhoods. The planned improvements, including restriping the parking lot and removing outdated movie set structures, will enhance the appearance and functionality of the site.

Additionally, the proposed church use appears far more appropriate for the surrounding development patterns than unrestricted industrial operations such as warehouses, freight storage, or manufacturing facilities. The church's presence would contribute positively to the area's character and support the Comprehensive Plan's goal of creating quality places and maximizing community access to institutional uses.

For these reasons, I respectfully encourage the Planning Commission to approve the rezoning and conditional use permit for 1000 Film Way.

Thank you for your consideration and continued service to the citizens of Suffolk.



## Public Comment Form

Please be advised that this form is for public comment for CUP2025-021, MOUNT LEBANON MISSIONARY BAPTIST CHURCH, **only**.

All comments provided will be made available to Planning Commission members, City Council members, and the general public.

All comments provided by 5:00 PM on May 12, 2026, no less than one week prior to the Planning Commission's scheduled meeting, will be made available to Planning Commission members, City Council members, and the general public and included within staff's report. All comments received after the deadline may be presented in person by the commenter at the scheduled public hearing.

First Name	Tammy
Last Name	Davis
Street Address	869 Lynnhaven Parkway
Street Address Line 2	Ste 113
City	Virginia Beach
State	Virginia
Zip Code	23452
Comment	<p>I respectfully ask that favorable consideration be given to The Mount's request for approval of this building.</p> <p>The Mount is more than a place of worship; it is a ministry committed to transforming lives and strengthening our community. Through love, empowerment, mentoring, life-skills training, and outreach programs for both youth and adults, The Mount serves as a source of hope and support for individuals and families throughout the region.</p> <p>This new facility will expand opportunities to bring people together and provide programs that foster spiritual growth, personal development, and meaningful community connections. The possibilities are endless. I believe also that the building will be more beneficial and impactful standing than demolished.</p> <p>Approving this request will allow The Mount to continue making a lasting impact by supporting individuals and families spiritually, emotionally, and practically. I believe this ministry will serve as a positive pillar in the community for many years to come.</p>

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A PLACE OF WORSHIP (LARGE, AT LEAST 6,000 SQUARE FEET IN THE MAIN SANCTUARY) ON PROPERTY LOCATED AT 1000 FILM WAY, ZONING MAP 26F, PARCEL (1A)\*1A\*A, ACCOUNT NUMBER 254001041; CUP2025-021**

WHEREAS, Dr. Kimberly Williams, Mount Lebanon Missionary Baptist Church, applicant, on behalf of New Dominion Pictures LLC, property owner has requested a Conditional Use Permit to establish a place of worship (large, at least 6,000 square feet in the main sanctuary) located at 1000 Film, Way, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 26F, Parcel (1A)\*1A\*A, which land is depicted on Exhibit "B", "Property Map"; and,

WHEREAS, the procedural requirements of Article 3, Section 31-306 of the Code of the City of Suffolk, Virginia, 1998 (as amended), have been followed; and,

WHEREAS, in acting upon this request, the Planning Commission and City Council have considered the matters enunciated in Section 15.2-2284 of the Code of Virginia and Sections 31-102 and 31-306(c)(1 through 8) of the Code of the City of Suffolk, with respect to the purposes stated in Sections 15.2-2200 and 15.2-2283 of the Code of Virginia; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Exhibits.

Exhibit "A", "Planning Commission Recommendation", Exhibit "B", "Property Map", Exhibit "C", " Preliminary Site Plan – No Disturbance ", and Exhibit "D", "The Mount Suffolk, Fire Protection Plan" which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

Council finds that the proposal for a Conditional Use Permit, as submitted or modified with conditions herein, the expressed purpose of which is a place of worship (large, at least 6,000 square feet in the main sanctuary) that is in conformity with the standards of the Unified Development Ordinance of the City of Suffolk and that it will have no more adverse effects on the health, safety or comfort of persons living, working in, or driving through the neighborhood, and will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type, and height of buildings or structures, the type and extent of landscaping and screening on site, and whether the use is consistent with any

theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities with the conditions set forth below.

These findings are based upon the consideration for the existing use 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 population, economic, and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the preservation of agricultural and forestall land, the conservation of properties and their values, and the encouragement of the most appropriate use of land throughout the City.

These findings are based upon a determination that the most reasonable and limited way of avoiding the adverse impacts of the place of worship (large, at least 6,000 square feet in main sanctuary) is by the imposition of the conditions provided herein.

### Section 3. Permit Granted.

The Conditional Use Permit for the property be, and is hereby approved for the property, subject to the following conditions and the general conditions set forth in Section 4 hereof. The Conditional Use Permit specifically permits a place of worship (large, at least 6,000 square feet in main sanctuary), in compliance with Sections 31-306 and 31-406 of the Code of the City of Suffolk.

#### Conditions

1. This Conditional Use Permit is granted specifically to establish a place of worship (large, at least 6,000 square feet in the main sanctuary) for property located at 1000 Film Way, Zoning Map 26F, Parcel (1A)\*1A\*A, Account Number 254001041, as identified in Exhibit "B", "Property Map".
2. Individual parking spaces and drive aisles shall be properly striped and marked in accordance with the concept plan prepared by Kimley-Horn titled, "Preliminary Site Plan-No Disturbance" dated March 25, 2026 and attached as Exhibit "C". Parking shall be permitted only in designated parking spaces, and no parking shall be permitted on the grass or on Film Way. No land disturbance, including asphalt or concrete removal, shall occur without review and approval from the City of Suffolk.
3. Signage stating "Exit Only" and "Entrance Only" shall be posted to indicate the direction of traffic at each applicable site entrance in accordance with Exhibit "C".
4. The occupancy load for the proposed use shall be approved by the City's Building Official and Fire Marshall in accordance with applicable state building and fire code requirements, and shall not exceed 256 seats in the main sanctuary, in accordance with the proposed sanctuary layout titled "The Mount Suffolk, Fire Protection Plan" dated February 12, 2026 and attached as Exhibit "D". The applicant shall clearly post the occupancy load of the

establishment and shall monitor the number of occupants to ensure compliance.

5. The applicant shall obtain all necessary permits prior to development and operation of the proposed use, and shall comply with applicable codes, ordinances and regulations of federal, state, and local government.
6. This Conditional Use Permit shall not be construed to authorize the operation of an accessory child day care center to the place of worship, as defined within the Unified Development Ordinance.

Section 4. General Conditions.

- (a) The Conditional Use Permit may be revoked by City Council upon failure to comply with any of the conditions contained herein, after ten days' written notice to the property owner, or their successors in interest, and a hearing at which such persons shall have the opportunity to be heard.
- (b) To the extent applicable, the requirements set forth in Section 31-306 of the Code of the City of Suffolk, Virginia shall be met.
- (c) The commencement of the Use described in Section 3 of this ordinance shall be deemed acceptance by the property owner, or any party undertaking or maintaining such Use, of the conditions to which the Conditional Use Permit herein granted is subject.

Section 5. Severability.

It is the intention of the City Council that the provisions, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable. If any phrase, clause, sentence, paragraph, section or provision of this ordinance is declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, sections or provisions of this ordinance, to the extent that they can be enforced notwithstanding such determination.

Section 6. Recordation.

A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of Circuit Court.

Section 7. Effective Date.

This ordinance shall be effective upon passage and shall not be published or codified. The Conditional Use authorized by this Permit shall be implemented within two (2) years from the date of approval by the City Council and shall terminate if not initiated within that time period.

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
Erika S. Dawley, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
William E. Hutchings, Jr., City Attorney

**CITY OF SUFFOLK PLANNING COMMISSION**

**A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION  
TO CITY COUNCIL RELATING TO CONDITIONAL USE PERMIT  
CUP2025-021  
TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A PLACE OF  
WORSHIP (LARGE, AT LEAST 6,000 SQUARE FEET IN MAIN SANCTUARY), ON  
PROPERTY LOCATED AT 1000 FILM WAY, ZONING MAP 26F, PARCEL  
(1A)\*1A\*A, ACCOUNT NUMBER 254001041**

**WHEREAS**, Dr. Kimberly Williams, Mount Lebanon Missionary Baptist Church, applicant, on behalf of New Dominion Pictures LLC, property owner, has requested a Conditional Use Permit to establish a place of worship (large, at least 6,000 square feet in the main sanctuary) located at 1000 Film Way, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 26F, Parcel (1A)\*1A\*A, which land is depicted on Exhibit "B", "Property Map"; and

**WHEREAS**, the procedural requirements for the consideration of this request by the Planning Commission have been met.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

The Suffolk Planning Commission finds that the proposal for a Conditional Use Permit, as submitted or modified herein:

- a) Will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,
- b) Will have more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood,
- c) Will be no more injurious to property or improvements in the neighborhood, or
- d) Will be more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan which encourages mixed uses and/or densities.

Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, CUP2025-021, be:

- a) Granted as submitted, and that the City Council adopt the proposed Ordinance without modification.
- b) Denied, and that Council not adopt the proposed Ordinance.
- c) Granted with the modifications set forth on the attached listing of specific recommendations and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED: May 21, 2026

TESTE: 

# **CONDITIONAL USE PERMIT**

**CUP2025-021**

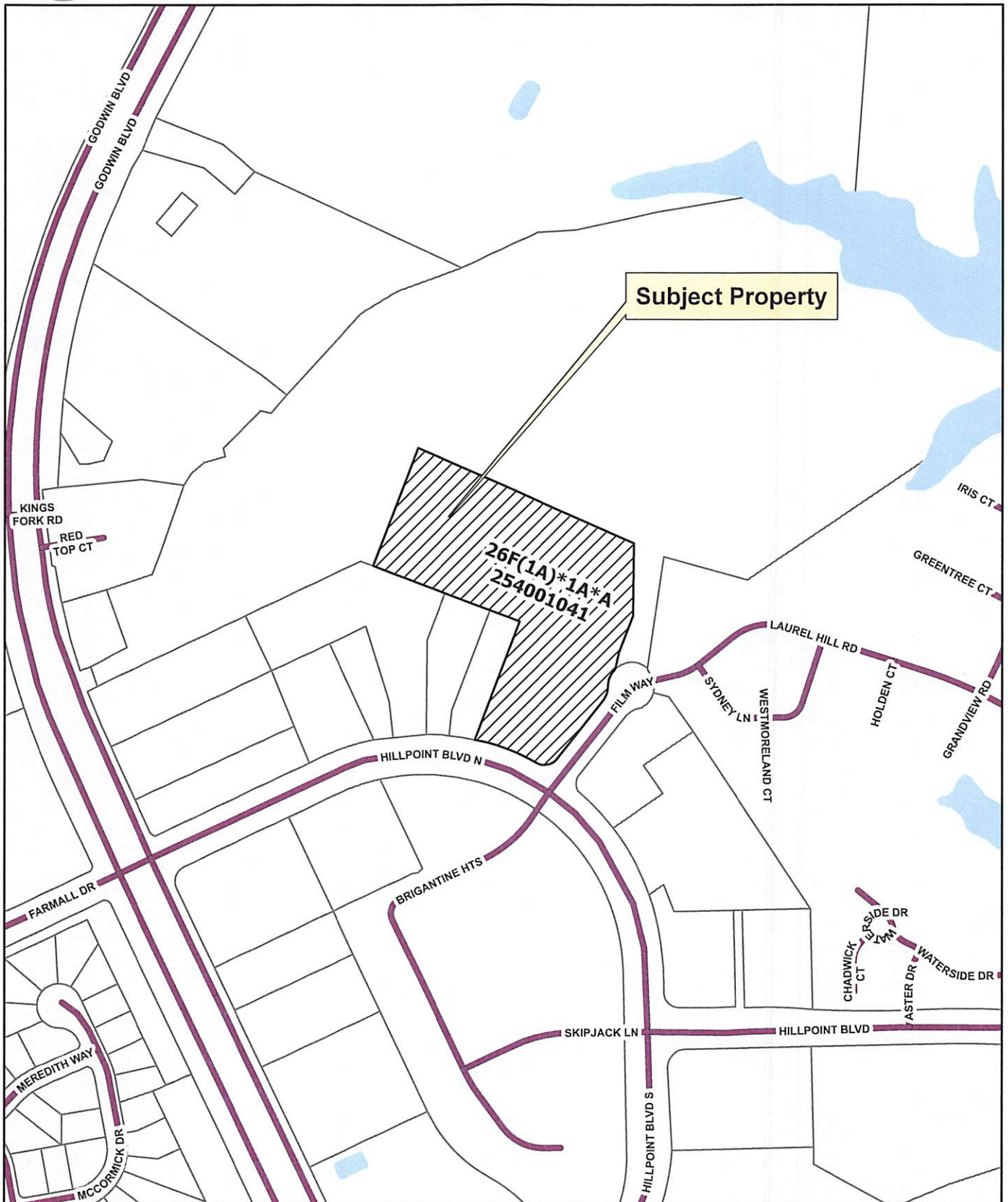
## **CONDITIONS**

1. This Conditional Use Permit is granted specifically to establish a place of worship (large, at least 6,000 square feet in the main sanctuary) for property located at 1000 Film Way, Zoning Map 26F, Parcel (1A)\*1A\*A, Account Number 254001041, as shown on Exhibit "B", "Property Map".
2. Individual parking spaces and drive aisles shall be properly striped and marked in accordance with the concept plan prepared by Kimley-Horn titled "Preliminary Site Plan-No Disturbance" dated March 25, 2026 and attached as Exhibit "C". Parking shall be permitted only in designated spaces, and no parking shall be permitted on the grass or on Film Way. No land disturbance, including asphalt or concrete removal, shall occur without review and approval from the City of Suffolk.
3. Signage stating "Exit Only" and "Entrance Only" shall be posted to indicate the direction of traffic at each applicable site entrance in accordance with Exhibit "C".
4. The occupancy load for the proposed use shall be approved by the City's Building Official and Fire Marshall in accordance with applicable state building and fire code requirements, and shall not exceed 256 seats in the main sanctuary, in accordance with the proposed sanctuary layout titled "The Mount Suffolk, Fire Protection Plan" dated February 12, 2026 and attached as Exhibit "D". The applicant shall clearly post the occupancy load of the establishment and shall monitor the number of occupants to ensure compliance.
5. The applicant shall obtain all necessary permits prior to development and operation of the proposed use, and shall comply with applicable codes, ordinances and regulations of federal, state and local government.
6. This Conditional Use Permit shall not be construed to authorize the operation of an accessory child day care center to the place of worship, as defined in the Unified Development Ordinance.



# PROPERTY MAP CUP2025-00021

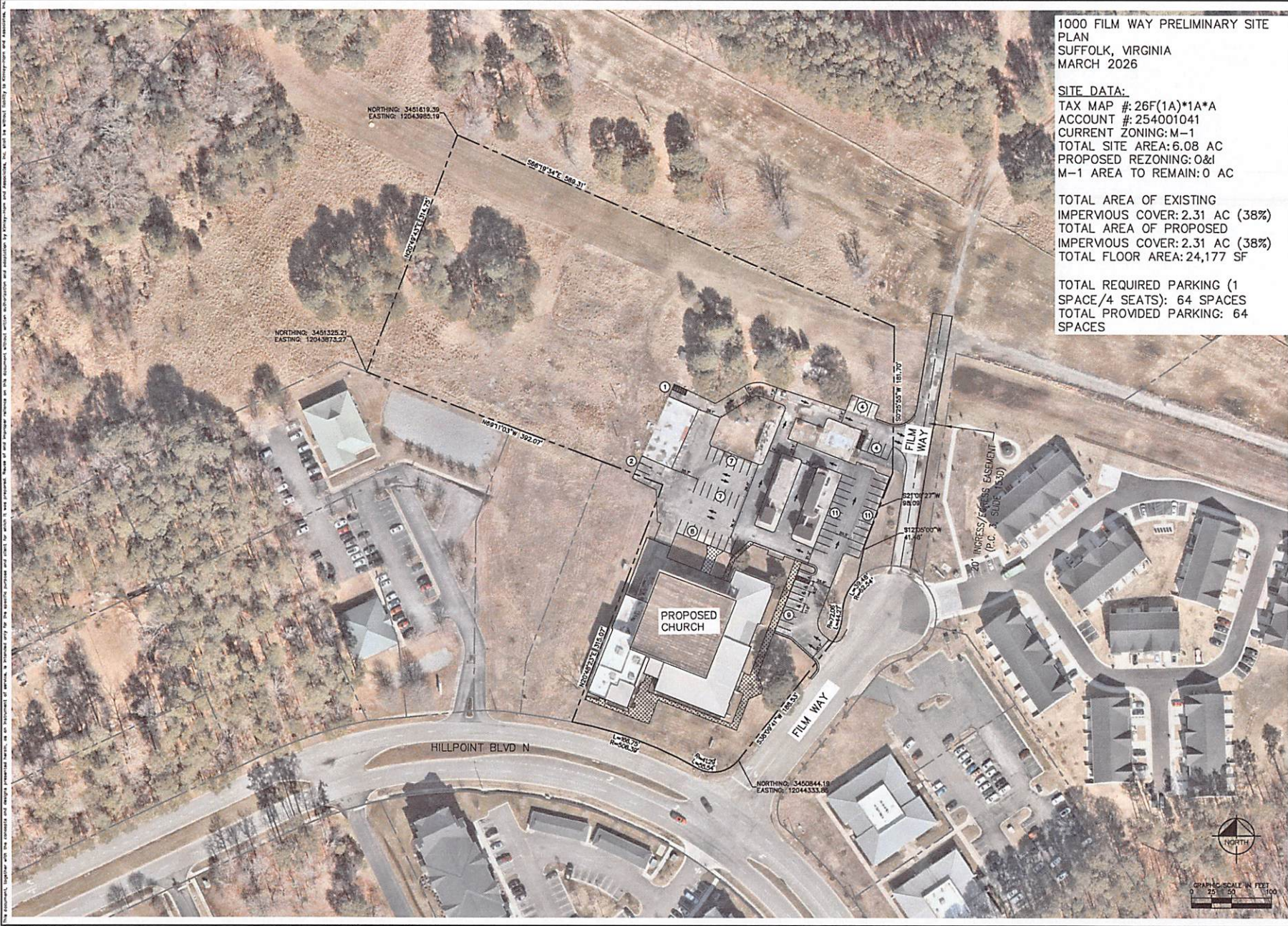
EXHIBIT B



Author: KOSSAI  
Date: 12-31-2025

0 125 250 500 750 1,000  
Feet





1000 FILM WAY PRELIMINARY SITE PLAN  
SUFFOLK, VIRGINIA  
MARCH 2026

**SITE DATA:**  
TAX MAP #: 256F(1A)\*1A\*A  
ACCOUNT #: 254001041  
CURRENT ZONING: M-1  
TOTAL SITE AREA: 6.08 AC  
PROPOSED REZONING: O&I  
M-1 AREA TO REMAIN: 0 AC

TOTAL AREA OF EXISTING IMPERVIOUS COVER: 2.31 AC (38%)  
TOTAL AREA OF PROPOSED IMPERVIOUS COVER: 2.31 AC (38%)  
TOTAL FLOOR AREA: 24,177 SF

TOTAL REQUIRED PARKING (1 SPACE/4 SEATS): 64 SPACES  
TOTAL PROVIDED PARKING: 64 SPACES

No.	REVISIONS	DATE	BY

**Kimley»Horn**  
4525 MAIN STREET, SUITE 1000, WIRMIAN BEACH, VA 23462  
PHONE: 757-233-8801  
WWW.KIMLEY-HORN.COM

DATE PROJECT FILED	DATE
3/25/2026 <td> </td>	

SCALE: AS SHOWN  
DESIGNED BY: IGH  
DRAWN BY: IGH  
CHECKED BY: IGH

PRELIMINARY SITE PLAN-NO DISTURBANCE

CONDITIONAL USE PERMIT PACKAGE PREPARED FOR MOUNT LEBANON MISSIONARY BAPTIST CHURCH

SHEET NUMBER  
EX 1

CONSTRUCTION DRAWINGS FOR:

# The Mount Suffolk

1000 FILM WAY BOULEVARD  
CHESAPEAKE VA 23434

BARNES DESIGN GROUP, P.C.

ARCHITECTURE  
MASTER PLANNING  
3D DIGITAL MODELING  
VISION CASTING  
CHURCH SPECIALISTS

101 N. LYNNHAVEN ROAD, SUITE 203  
VIRGINIA BEACH, VA 23452

PHONE: 757-340-9800  
FAX: 757-340-8090

WWW.BARNESDESIGNGROUP.COM

SHEET CONTENT:  
FIRE PROTECTION PLAN

ARCHITECT'S JOB No: 25920.0

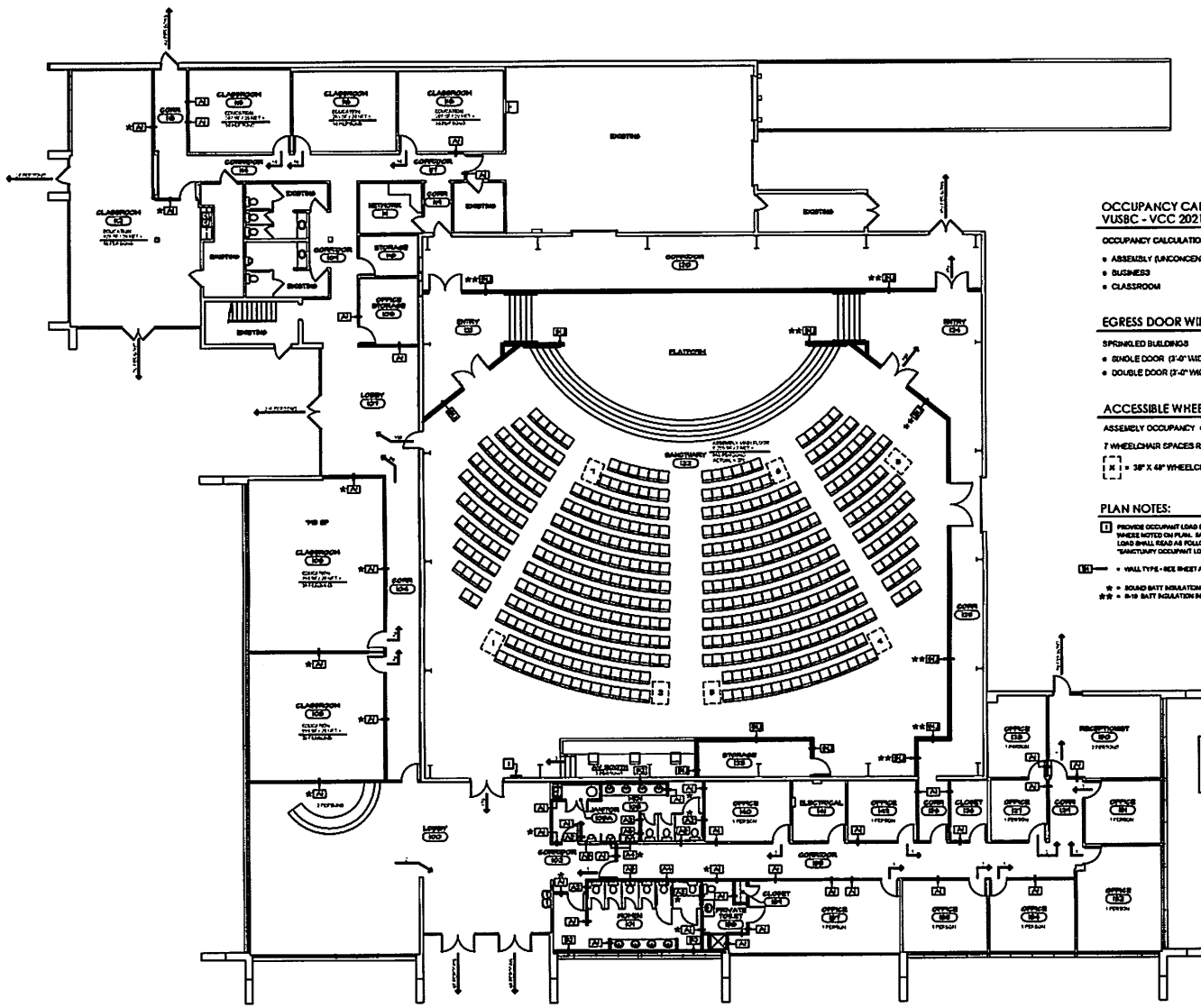
FEBRUARY 12, 2026



FIRE PROTECTION  
**F1.0**



Exhibit D



**OCCUPANCY CALCULATION FIGURES (TABLE 1004.5)  
VUSBC - VCC 2021**

OCCUPANCY CALCULATION FIGURES

• ASSEMBLY (NONCONCENTRATED)	1 PERSON PER 7 NET S.F.
• BUSINESS	1 PERSON PER 150 GROSS S.F.
• CLASSROOM	1 PERSON PER 20 NET S.F.

**EGRESS DOOR WIDTH (SECTION 1005.3.2) VUSBC - VCC 2021**

SPRINKLED BUILDINGS

• SINGLE DOOR (2'-0" WIDE)	- 34.5' / .5" = 230 PERSON CAPACITY
• DOUBLE DOOR (2'-0" WIDE PAIR)	- 68.5' / .5" = 456 PERSON CAPACITY

**ACCESSIBLE WHEELCHAIR SPACES (TABLE 1109.2.2.1)**

ASSEMBLY OCCUPANCY = 228 SEATS (SANCTUARY)  
7 WHEELCHAIR SPACES REQUIRED - 7 WHEELCHAIR SPACES PROVIDED  
□ = 36" X 48" WHEELCHAIR SPACE

**PLAN NOTES:**

- PROVIDE OCCUPANT LOAD ESTIMATED AT 80' AFF WHERE NOTED ON PLAN. SANCTUARY OCCUPANT LOAD SHALL READ AS FOLLOWS: "SANCTUARY OCCUPANT LOAD = 228 PERSONS"
- = HALL TYPE - SEE SHEET A-03
- = SOUND BATT INSULATION IN WALL  
2" @ 8" IN WALL INSULATION IN WALL

OCCUPANCY NOTE:  
TOTAL SANCTUARY OCCUPANT LOAD IS 228.  
ROOM OCCUPANCIES SHOWN ONLY APPLY TO EACH INDIVIDUAL ROOM UNLESS THE OCCUPANCY IS LISTED AS 228 IS THE MAXIMUM OCCUPANCY THAT WILL OCCUR DURING CHURCH SERVICES.

**FIRE PROTECTION PLAN**

1/8" = 1'-0"

CUP2025-021

**AGENDA: June 17, 2026, Regular Session**

**ITEM: Public Hearing – An ordinance to amend Section 31-406(c) and Appendix “A” of the Unified Development Ordinance of the City of Suffolk, Virginia; OTA2026-004**

Attached for your consideration is information pertaining to Ordinance Text Amendment OTA2026-004, initiated by the City of Suffolk, for amendments to Section 31-406(c) and Appendix “A” of the Unified Development Ordinance of the City of Suffolk, Virginia. The purpose of the text amendment is to update and refine the Code of the City of Suffolk, Chapter 31, Unified Development Ordinance.

The Planning Commission, at their meeting on May 21, 2026, voted 7 to 0 to approve a resolution recommending approval of the proposed text amendments.

**ATTACHMENTS:**

Proposed Ordinance

Exhibit A – Planning Commission Recommendation

Exhibit B – “Amendments to Section 31-406(c) and Appendix “A” of the Unified Development Ordinance of the City of Suffolk, Virginia”

# STAFF REPORT

## DESCRIPTION

**ORDINANCE TEXT AMENDMENT OTA2026-004:** Presented for your consideration, attached please find proposed amendments to the Code of the City of Suffolk, Chapter 31, Unified Development Ordinance Section 31-406, Use Regulations, Table 406-1, and Appendix “A”, Definitions. The purpose of the text amendment is to update and refine the Unified Development Ordinance due to a change in circumstances.

**APPLICANT:** The proposed ordinance text amendment has been initiated by the City of Suffolk.

**PUBLIC NOTICE:** This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance.

## STAFF ANALYSIS

### ISSUE AND BACKGROUND

With the establishment of the *Arts and Cultural District* (Suffolk City Code Chapter 18, Businesses, Article VIII) through City Council’s adoption of Ordinance No. 25-O-102 on October 15, 2025, staff have been directed to align the Unified Development Ordinance (UDO) with the aforementioned Arts and Cultural District’s purpose, boundaries, and definitions.

This Ordinance Text Amendment (OTA) aims to amend “Section 31-406”, Table 406-1 and several definitions in Appendix “A”, to mainly accommodate several uses listed in the NAICS Codes 3118, 3119, 3121, 3131, 3132, 3152, 3161, 3162, 3169, 3271, 3272, 3323, 3399, 5121, 5131, 7111, 7115, 541310, 541320, 541330, 541340, 5414, and 541613 that are listed in Section 18-424, Definitions, of the Arts and Cultural District Ordinance. This OTA, once approved, will align the UDO with the Arts and Cultural District established in City Code.

Upon analysis and further internal consultation with City staff, with the Downtown Advisory Committee (DAC) – which was appointed by City Council to study downtown urban affairs and improvements– and a final consultation with the Planning Commission’s Committee on Ordinances, the uses listed below were found to require alignment with the UDO (to be permitted, not permitted, or conditionally permitted). Some of these uses require the inclusion of a definition or clarification of their existing definition, and others are proposed new uses motivated by the need to accommodate certain NAICS standard categories on Table 406-1. The uses subject to this OTA are listed below:

Micro-brewery, micro-distillery, micro-winery, micro-cidery, micro-meaderery;  
Brewery, distillery, winery, cidery, Meadery;  
Live entertainment after 10:00 pm;

Arts, crafts, boutique, or artisan workshop;  
Custom manufacturing;  
Motion picture and video production;  
Theater;  
Sound recording studios and other sound recording facility;  
Research and development, offices;  
Business incubator/Enterprise center/Business Accelerator.

*Micro-brewery, micro-distillery, micro-winery, micro-cidery, micro-meadery*

The use “Winery or micro brewery” does not have a definition in Appendix “A”. Staff proposes to add a consolidated definition representing the breadth of varying small-scale alcoholic beverage production uses that mirrors the capacity limits set by the Commonwealth’s Alcoholic Beverage Control Authority. Permitted accessory uses would include retail sales, on-site tasting rooms, and restaurants. This definition accommodates other alcoholic beverage production, beyond wine and beer, typically seen in contemporary cities, and will clearly delineate the size and use of a “Micro-brewery, Micro-distillery, Micro-winery, Micro-cidery, Micro-meadery in the City of Suffolk.

Staff is also proposing changes in the use table, Table 406-1. Currently, “Winery or micro-brewery” is only permitted by right in the B-2, General Commercial and M-2, Heavy Industrial zoning districts, and is conditionally permitted in A, Agriculture, VC, Village Center, CBD, Central Business District, M-1, Light Industrial, and FRRD, Fairgrounds Revitalization and Redevelopment District. To increase flexibility and create economic and cultural opportunities, and given the limited output and intensity of the use, staff believes that this use is compatible and appropriate to be permitted by-right in B-1, Neighborhood Commercial, VC, Village Center, and CBD, Central Business zoning districts.

*Brewery, Distillery, Winery, Cidery, Meadery*

Staff is proposing to add the use “Brewery, Distillery, Winery, Cidery, Meadery” to Table 406-1 and a new definition to Appendix A. This use is defined as a facility that makes and/or packages alcoholic beverages for sale or distribution, either on-site or elsewhere. Larger operations—those producing at least 15,000 barrels annually (beer, wine, cider, or mead) or 36,000 gallons of spirits—may also include accessory uses like tasting rooms, lounges, restaurants, taprooms, or taverns.

In juxtaposition to a micro-type establishment that produces alcoholic beverages, staff found the need to frame and clarify the definition of a more conventional establishment (mid-size production and mass production), which typically has a larger output and increased intensity in regard to land use. This new use will be permitted by-right in industrial districts, such as M-1, Light Industrial Zoning District, and M-2, Heavy Industrial Zoning District, and Conditionally permitted in B-1, Neighborhood Commercial District, B-2, General Commercial District, VC, Village Center Zoning District, CBD,

Central Business District, and FRRD, Fairgrounds Revitalization and Redevelopment District. The majority of the land within Downtown is within the aforementioned zoning districts, and these changes are expected to expand opportunities for physical and economic revitalization within the Arts and Cultural District/Downtown's zone of influence.

*Live entertainment after 10:00 pm*

As observed throughout the Commonwealth of Virginia, micro and medium/large output breweries typically host associated cultural activities, such as live music and entertainment. To address these activities and accommodate the accessory uses proposed in the micro and medium/large output brewery/distillery/winery/cidery/meadery uses, staff is proposing to allow "Live entertainment after 10:00 pm" as an accessory and conditionally permitted use in industrial districts such as M-1, Light Industrial Zoning District, and M-2, Heavy Industrial Zoning District. This would allow micro and non-micro establishments to apply for a Conditional Use Permit (CUP) to host live entertainment such as live music, karaoke, trivia, or stand-up comedy.

*Arts, crafts, boutique, or artisan workshop*

The use "Arts, crafts, and boutique" does not have a definition in Appendix "A". Staff is therefore proposing to rename this use by framing it with a broader language that includes the artisan's workshop to allow for greater flexibility in the possible uses. Staff is also proposing to add a definition to Appendix "A". This definition clarifies and sets spatial and land use parameters for this use. The proposed use allows for the establishment of arts and crafts retail, with accessory small workshop or studio use of up to 2,000 square feet. This use is considered to have a small footprint and low intensity and does not allow the establishment of an assembly line or mass production on site. Staff is not proposing any changes to Table 406-1, besides amending the title of the use.

*Custom manufacturing*

The UDO has a definition for "Custom manufacturing" in Appendix "A". However, staff have noted that the existing definition utilizes language that is too specific and does not provide the necessary flexibility and framework for contemporary businesses. The existing definition is heavily focused on tool horsepower and kilowatt limitations, but it does not necessarily address the intensity and size of the use itself.

It is staff's opinion that this definition should be updated to be clear on the footprint and intensity of the use, thus allowing for flexibility regarding the workshop environment, while maintaining custom manufacturing should be characterized by limited production and impact on the neighborhood/adjacent parcels. The proposed definition maintains a low-impact use character but clarifies that this use is primarily a workshop without an assembly line, for the production of works of art, handicrafts, and goods by hand manufacturing.

This new definition also allows for some flexibility because it establishes the accessory use of a retail shop up to 2,000 square feet, and also includes the possibility of adding instruction on-site. “Custom manufacturing”, simultaneously with “Arts, crafts, boutique, and artisan workshop”, are an important use to both the vitality and revitalization of the Arts and Cultural District in the Downtown area of influence and its surrounding neighborhoods.

This uses offer a small-scale space for current and future artists looking to establish themselves in Suffolk, while providing new economic activities and shopping opportunities to residents and visitors alike. Staff is not proposing any changes to the use table, Table 406-1.

### *Motion picture and video production*

Currently, the use “Motion picture and video production (NAICS 51211)” does not have a definition. Therefore, in addition to amending the title of this use in Table 406-1 to remove the reference to the NAICS code, staff are proposing to define this use as an establishment primarily engaged in producing, or producing and distributing motion pictures, videos, television programs, or television commercials.

Currently, this use is only permitted by-right in the M-1, Light Industrial, and M-2, Heavy Industrial zoning districts. Staff is proposing to amend the use table to have this use permitted by-right in the B-2, General Commercial, and O-I, Office/Institutional zoning districts. The proposed amendments include conditionally permitting motion picture and video production facilities within the B-1, Neighborhood Commercial District, VC, Village Center Zoning District, CBD, Central Business District, and FRRD, Fairgrounds Revitalization and Redevelopment District. These changes will allow for these key creative industry uses to be established in more areas of Downtown and the city, where impacts can be evaluated and conditioned via CUP. This will add more flexibility, economic opportunity, and the ability to revitalize some structures and/or city blocks within the Downtown and certain village centers.

### *Theater*

The use “Theater” currently does not have a definition in Appendix “A”. Staff is proposing to add a definition to clarify that a theater is an indoor facility with a permanent stage or screen for the presentation of live or recorded entertainment, inclusive of an audience viewing hall or room with fixed seats.

Additionally, staff is proposing a small amendment to the use table to change this use from “not permitted” to conditionally permitted in the B-1, Neighborhood Commercial District. This would allow small, neighborhood-scale theaters (stage acting and others) to open in B-1 districts via CUP, thereby increasing neighborhood-scale artistic activities

and helping promote arts and entertainment in certain areas of Downtown as well as in other areas of the city.

**Sound recording studios and other sound recording facility**

Staff is proposing the addition of a new use to the table to align with the Arts and Cultural District. Similar to uses such as “Motion Picture and Video Production (NAICS 51211)”, staff finds that sound production and recording is an important artistic and cultural activity within typical arts and cultural districts, and so far, this use has been absent from the use table. To this end, staff is proposing a definition that sets this use as an establishment that provides indoor audio recording/production and post-production services to produce master recordings with sound attenuation.

For this new use, staff is proposing that it be permitted by-right in the CBD, Central Business Zoning District, B-2, General Commercial Zoning District, O-I, Office/Institutional Zoning District, M-1, Light Industrial Zoning District, and M-2, Heavy Industrial Zoning District. Staff is also proposing that this use be allowed as Conditional (C) in the B-1, Neighborhood Commercial Zoning District, VC, Village Center Zoning District, and FRRD, Fairgrounds Revitalization and Redevelopment Zoning District.

The proposed definition for sound studios states that they must have sound attenuation and are intended to operate at a commercial and professional level. Their impact on commercial and industrial districts, and the CBD (a mixed-use district), is not expected to be significant when compared to other uses that are typically permitted in these districts. For facilities proposed in B-1, VC, or FRRD, which zoning is usually in some degree of proximity to residential districts and uses, the CUP process will evaluate the context and the impacts on surrounding uses and the neighborhood.

**Research and development, offices**

The use “Research and development, offices” was not permitted in B-1, Neighborhood Commercial District, and it was allowed as a conditional use in B-2, General Commercial District, CBD, Central Business District, and FRRD, Fairgrounds Revitalization and Redevelopment District.

Amendments are proposed to Table 406-1 to allow this use to be permitted by-right in B-1, B-2, CBD, and FRRD. This use is an office use, without laboratories or storage, and therefore it is appropriate to be located in districts that typically allow office uses, such as CBD. Staff is not altering the definition of this use.

**Business Incubator/Enterprise Center/Business Accelerator**

Upon analyzing the current Arts and Cultural District ordinance, and after reviewing other arts and culture districts within Virginia and in neighboring states, staff decided that a “Business incubator” (or “Enterprise center”, or “business accelerator”) use would be a positive addition to the list of permitted and conditional uses within the city, because it provides business and economic development opportunities, which this ordinance also aims to achieve, and offers the opportunity for neighborhood revitalization and rehabilitation/reuse of structures in the Downtown area, as well as in other areas of the city where economic and cultural stimulation is needed. Staff is therefore defining this use as a single entity managed facility that provides shared workspace, resources, and business development support for multiple startup or emerging businesses. Such use features long-term tenant residency, shared professional infrastructure, and training services, and is distinct from temporary markets or food halls because it focuses on continuous business growth and support.

The “Business incubator” use is proposed to be permitted by-right in B-1, Neighborhood Commercial District, B-2, General Commercial District, VC, Village Center Zoning District, CBD, Central Business District, O-I, Office Institutional Zoning District, and FRRD, Fairgrounds Revitalization and Redevelopment District; and Conditional (C) in M-1, Light Industrial Zoning District, and M-2, Heavy Industrial Zoning District.

**RECOMMENDATION**

The uses detailed above will be added or altered in Table 406-1 and Appendix “A”, Definitions. The aforementioned alterations and proposed new uses and definitions aim to align the UDO with the Arts and Cultural District. This proposed text amendment will simultaneously provide greater economic opportunity and flexibility for individuals (such as artists), businesses, organizations, and institutions attempting to establish themselves within the Downtown area of influence and its vicinity. In that regard, the proposed text amendments shown in the attached Exhibit B are presented for your favorable consideration with a staff recommendation for **approval**.

The Planning Commission, at its May 21, 2026 meeting, voted 7-0 to approve a resolution recommending approval. Therefore, this request is presented to City Council with a recommendation of approval from the Planning Commission.

**ATTACHMENTS**

- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation
- Exhibit B – “Amendments to Section 31-406(c) and Appendix “A” of the Unified Development Ordinance of the City of Suffolk, Virginia”

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE TO AMEND SECTION 31-406(C) AND APPENDIX "A"  
OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF  
SUFFOLK, VIRGINIA; OTA2026-0004**

WHEREAS, the City of Suffolk, Virginia has initiated the aforementioned amendments to the Code of the City of Suffolk Unified Development Ordinance for the purpose of updating and improving clarity and consistency due to a change in circumstances; and,

WHEREAS, the specified amendments to the Unified Development Ordinance as shown in Exhibit "B" are in compliance with the 2045 Comprehensive Plan, as adopted; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A"; and,

WHEREAS, the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

- Section 1. Exhibit "B," "Amendments to Section 31-406(c) and Appendix "A" of the Unified Development Ordinance of the City of Suffolk, Virginia" which is attached hereto, is hereby incorporated as part of this ordinance.
- Section 2. Unified Development Ordinance Section 31-406(c) and Appendix "A" are hereby amended to read as referenced in Exhibit "B".
- Section 3. All phrases, clauses, sentences, paragraphs, subsections, sections and chapters of the Code not amended hereby remain in full force and effect.

This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_

Erika S. Dawley, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
William E. Hutchings, Jr., City Attorney

Exhibit "A"

RESOLUTION NO. 26-05-05

CITY OF SUFFOLK PLANNING COMMISSION  
A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION  
TO CITY COUNCIL RELATING TO  
OTA2026-004  
AN ORDINANCE TO AMEND SECTION 31-406(C) AND APPENDIX "A" OF THE UNIFIED  
DEVELOPMENT ORDINANCE OF THE CITY OF SUFFOLK, VIRGINIA.

WHEREAS, the City of Suffolk, Virginia has initiated the aforementioned amendments to Chapter 31 of the Unified Development Ordinance for the purpose of updating and improving clarity and consistency due to a change in circumstances; and

WHEREAS, the specified amendments to the Unified Development Ordinance as shown in Exhibit "B" are in compliance with the 2045 Comprehensive Plan, as adopted; and

WHEREAS, the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

The Suffolk Planning Commission finds that the proposed ordinance amendments are reasonable and warranted.

Section 2. Recommendation to City Council.

The Planning Commission recommends to the City Council of the City of Suffolk, Virginia that the proposed amendments be;

- a. Adopted as submitted without modification.
- b. Denied, and that Council not pass the proposed ordinance.
- c. Adopted with the modifications set forth on the attached listing of specific recommendations, and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED: May 21, 2024

TESTE: 

**“Exhibit B”**  
**“Amendments to Section 31-406(c) and Appendix “A” of the Unified Development Ordinance of the City of Suffolk, Virginia”**

**ARTICLE 4 - ZONING**

...

**SEC. 31-406. USE REGULATIONS**

...

TABLE 406-1: PRINCIPAL USES PERMITTED IN ZONING DISTRICTS																						
Specific Use Type	Zoning Districts																					
	C	A	RR	RE	RL	RL M	RM	RC	RU	RU-12	RU-18	RU-24	MU C-40	B-1	B-2	VC	CB D	O-1	CP	M-1	M-2	PRRD
<b>RESIDENTIAL DWELLING UNITS AND GROUP LIVING:</b>																						
Accessory dwelling unit, attached (§ 31-701)	—	P	P	P	P	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P
Accessory dwelling unit, detached (31-701)	—	P (1)	P (1)	P (1)	C	C	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Adult care residence/assisted living facility	—	C	C	C	C	C	C	C	C	C	C	C	C	—	—	C	C	P	—	—	—	C
Adult day care center	—	C	C	C	C	C	C	C	C	C	C	C	C	P	P	C	C	P	—	C	—	C
Boarding house	—	—	—	—	—	—	—	—	C	—	—	—	—	P	—	C	C	—	—	—	—	C
Business residence/residential hotel	—	—	—	—	—	—	—	—	—	—	—	—	—	P	C	P	P	P	C	C	—	P
Dormitory	—	C	C	C	—	—	—	—	C	—	—	—	—	C	—	P	P	—	—	—	—	P
Dwelling, garden apartment	—	—	—	—	—	—	—	P	P	P	P	P	P	C	—	P	P	—	—	—	—	P
Dwelling, quadruplex (§ 31-712)	—	—	—	—	—	—	—	P	P	P	P	P	P	C	—	—	—	—	—	—	—	P
Dwelling, single-family detached (§ 31-712)	—	P	P	P	P	P	P	P	P	P	—	—	—	—	—	P	P	—	—	—	—	P
Dwelling, townhouse or rowhouse (§ 31-712)	—	—	—	—	—	—	C	P	P	P	P	P	P	C	—	P	P	—	—	—	—	P
Dwelling, triplex (§ 31-712)	—	—	—	—	—	—	—	P	P	P	P	—	—	C	—	—	—	—	—	—	—	P
Dwelling, two-family (including duplexes, single-family semi-detached, and single-family attached dwellings)	—	—	—	—	—	—	C	P	P	P	P	—	—	—	—	P	P	—	—	—	—	P
Dwelling, multi-family and apartment buildings (not otherwise enumerated)	—	—	—	—	—	—	—	P	P	P	P	P	P	—	—	C	P	—	—	—	—	P
Group homes—Maximum of 8 residents not including onsite resident counselors (Ref. VC 15.2-2291)	—	P	P	P	P	P	P	P	P	P	—	—	—	C	—	P	P	—	—	—	—	P
Manufactured homes (§ 31-712)	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mixed use dwelling	—	—	—	—	—	—	—	C	C	C	P	P	P	P	P	P	P	—	—	—	—	P

Residential subdivisions, major or hamlet option use pattern (§ 31-411(f))	—	—	C	C	C	C	C	C	C	C	—	—	—	—	—	P	—	—	—	—	—	—
Residential subdivisions, major, cluster use pattern (§ 31-411(c))	—	—	P	P	P	P	P	P	P	P	—	—	—	—	—	P	—	—	—	—	—	—
Residential subdivisions, major, conventional option	—	—	P	P	P	P	P	P	P	P	P	P	P	—	—	P	—	—	—	—	—	P
Residential subdivisions, minor (Art. 5, § 31-506(b)), conventional option	—	P	P	P	P	P	P	P	P	P	P	P	P	—	—	P	P	—	—	—	—	P
Retirement village (see § 31-713)	—	—	—	C	C	C	C	C	C	C	C	—	—	C	—	—	P	—	—	—	—	P
Subdivision, mixed use, TND option (§ 31-411(g))	—	—	C	—	C	C	C	C	C	C	C	C	—	C	—	—	C	—	—	—	—	P
Temporary shelters for transitional housing	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—
Temporary shelters for indigent and homeless persons, and similar facilities with onsite residential counselors (non-governmental)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	C	C	—	—	—	—
<b>INSTITUTIONAL, CIVIC, RECREATION AND ENTERTAINMENT:</b>																						
Animal pound/animal shelter	—	P	C	—	—	—	—	—	—	—	—	—	—	C	P	C	—	—	—	P	P	—
Animal pet cemetery	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Amusement/entertainment/recreation center, indoor	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	C	—	C	C	C
Amusement/entertainment/recreation center, outdoor	—	C	—	—	—	—	—	—	—	—	—	—	—	—	C	—	C	C	—	C	C	—
Boathouse	P	P	P	P	P	P	P	P	P	—	—	—	—	P	P	P	P	P	P	P	P	—
Arenas, equestrian	—	P	P	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bed & Breakfast (§ 31-703)	—	C	C	C	C	C	C	P	P	P	—	—	—	—	P	P	C	C	P	—	—	C
<u>Business incubator/Enterprise center/Business accelerator</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>—</u>	<u>P</u>
Campgrounds (excluding primitive camps)	C	C	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—
Camps, primitive	C	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Camps, summer	C	C	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—
Cemetery	—	P	P	P	P	P	P	P	P	—	—	—	—	—	C	C	C	C	—	—	—	C
Child day camp	—	C	C	C	—	—	—	—	—	—	—	—	—	—	C	—	C	—	—	—	—	—
Child-caring institution (including nursery schools)	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	C	P	P	—	—	C
College or university	—	C	C	C	—	—	—	—	C	—	—	—	—	C	—	P	P	P	P	C	—	P
Civic building	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C	P	—	C	—	C
Cultural uses, including museums, art galleries, opera houses	—	—	P	P	P	P	P	P	P	P	P	P	P	C	P	P	P	P	P	C	—	P
Day care (family day home), 1—4 children	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—	—	—	—	P

Day care (family day home), 5—12 children	—	C	C	C	C	C	C	C	C	C	—	—	—	C	C	C	C	—	—	—	—	C
Day care, child day center	—	—	—	—	—	—	—	—	C	C	C	C	C	C	C	C	C	C	P	C	—	C
Day care, child (as accessory use to permitted place of worship or school)	—	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	—	—	—	C
Detention, jails, honor camps, reformatories	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—
Fishing and boating facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	—	—	—	—	—
Game and hunting preserves	C	C	C	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Golf course	C	P	C	C	C	C	C	C	C	C	—	—	—	—	—	—	—	—	—	—	—	—
Golf driving ranges	C	P	C	C	—	—	—	—	—	—	—	—	—	—	C	C	C	C	—	C	C	—
Health club/physical fitness facility	—	—	—	—	—	—	—	—	C	C	C	C	C	P	P	P	P	P	P	P	P	P
Club, golf, tennis, swim	—	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	—	—	P
Hotels and motels	—	—	—	—	—	—	—	—	—	—	P	P	P	P	C	C	P	C	C	—	C	
Hunting, fishing, game preserves and recreational clubs or camps (not including recreational vehicle campgrounds)	P	P	C	C	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Lakes/reservoirs	P	C	C	C	C	C	C	C	C	—	—	—	—	C	C	C	C	C	C	C	C	—
Libraries	—	—	P	P	P	P	C	C	C	C	C	C	P	P	P	P	P	P	P	—	—	P
Marinas	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	—	P	P	—	C	C	—
Medical care facility not otherwise enumerated	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	P	P	—	—	C
Medical clinics and dental offices	—	—	—	—	—	—	—	—	C	C	C	C	P	P	P	P	P	P	P	—	—	P
Medical, counseling centers (non-resident)	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	P	P	P	P	—	—	P
Medical, counseling centers (non-resident) treatment of drug abuse and/or alcohol	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	C	C	C	C	—	—	C
Medical, general hospitals	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	C	C	P	P	—	—	C
Medical, nursing facility or nursing home	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	P	—	—	C
Medical, outpatient hospitals or special hospitals	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	C	C	P	P	—	—	C
Medical, physical and mental rehabilitation (resident)	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	—	—	C	—	—	—	—
Membership clubs and lodges	—	C	C	C	C	—	—	—	C	—	—	—	—	—	C	C	C	C	—	—	—	C
Natural area preserve	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—
Parking, commercial (not owned or operated by a public agency)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	C	C	C	C	C
Parks, neighborhood	—	P	P	P	P	P	P	P	P	P	P	P	P	P	—	P	P	—	—	—	—	P
Parks/open space (generally)	—	P	P	P	P	P	P	P	P	P	P	P	P	C	C	C	C	C	P	C	C	P
Private clubs/lodges	—	C	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	C	—	—	—	C





Contractors and trade shops (Indoor operations and storage)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	C	C	—	P	P	P	C
Contractors and trade shops (Indoor operations and storage) less than 10,000 square feet in area)	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Contractors and trade shops (outdoor storage and operations)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	—
Contractors and trade shops (Outdoor storage and operations, including heavy vehicles/equipment) less than 10,000 square feet in area	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Convenience retail center	—	C	—	—	—	—	—	—	—	—	—	—	P	P	P	P	C	—	—	—	—	P
Convenience stores (as part of an office structure)	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	P	P	P	P	P	P
Convenience stores (freestanding)	—	C	—	—	—	—	—	—	—	—	—	—	P	P	P	P	C	—	—	—	—	P
Convenience stores (with gasoline sales)	—	C	—	—	—	—	—	—	—	—	—	—	C	P	P	P	C	—	—	—	—	P
Delivery and dispatch services (vehicles on—site)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	P	P	P	—
Department stores	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—	P
Drive-through uses	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	C	C	C	—	—	—	C
Fertilizer and seed sales	—	P	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	P
Fruit and vegetable stands	—	P	C	C	—	—	—	—	—	—	—	—	P	P	P	C	C	—	—	—	—	C
Flea markets (indoors)	—	C	—	—	—	—	—	—	—	—	—	—	—	—	P	P	C	—	—	—	—	C
Flea markets (outdoors) (31-710)	—	C	—	—	—	—	—	—	—	—	—	—	—	—	C	—	C	—	—	—	—	—
Florists	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	P	—	—	—	—	—
Food service: commissary, food bank	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	P	P	C	—	C	C	P
Fuel sales (not including gasoline service stations)	—	C	—	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	—	P	—
Funeral home	—	C	C	C	C	C	C	—	—	—	—	—	—	C	P	C	C	C	—	—	—	C
Gasoline service station	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	C	C	C	—	C	C	C
Grocery stores	—	—	—	—	—	—	—	—	—	—	—	C	C	C	P	P	P	—	—	—	—	P
Hardware stores (less than 60,000 square feet)	—	—	—	—	—	—	—	—	—	—	—	—	C	C	P	P	P	—	—	—	—	P
Heavy truck, construction equipment sales (wholesale and retail)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	P	P	—
Live Entertainment after 10:00 p.m. <sup>(2)</sup>	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	C	C	—	C	C	C
Mini-warehouse	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	P	—	—
Model home display park	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	C	C	—
Nurseries/greenhouses (primarily wholesale) with on-premises retail sales	—	P	C	—	—	—	—	—	—	—	—	—	—	C	P	P	—	—	—	—	—	—



Automobile storage lot including vehicle tow yards	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-
Cleaning and processing establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
Container depot, shipping	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Custom manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	-	C	C	P	C	-
Food processing establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
Heavy equipment and industrial storage lots	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
Indoor operations and storage, assembly	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
Indoor operations and storage, food products	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
Indoor operations and storage, manufacturing/processing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
Indoor operations with outdoor storage, assembly	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
Indoor operations with outdoor storage, food products	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
Indoor operations with outdoor storage, manufacturing/processing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
Industrial park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-
Junkyards/salvage yards	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Machine shop	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
<u>Motion picture and video production (NAICS 51211) Motion picture and video production</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	C-	P-	C-	C-	P-	-	P	P	C-
Outdoor operations and storage, assembly	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Outdoor operations and storage, food products	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Outdoor operations and storage, manufacturing/processing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Research and development, laboratories	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	P	C
<u>Research and development, offices</u>	-	-	-	-	-	-	-	-	-	-	-	-	P-	P-	C	P-	P	P	P	P	P	P-
<u>Sound recording studios and other sound recording facility</u>	-	-	-	-	-	-	-	-	-	-	-	-	C	P	C	P	P	-	-	P	P	C
Truck terminal	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	C	P	-
Warehouse and freight storage (indoor operations, storage and loading)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-

Warehouse and freight storage (indoor storage with outdoor loading docks)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-
Warehouse and freight storage (outdoor storage or loading)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
Warehousing and distribution, general	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-
Warehousing, wholesale and distribution, limited	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-
Wholesale sales, generally (indoor operations, storing and loading)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	P	P	-
<b>AGRICULTURAL AND EXTRACTIVE USES:</b>																							
Agribusiness	-	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-
Animal feeding operation (excluding concentrated animal feeding operation, concentrated aquatic animal production facility, or concentrated confined animal feeding operation)	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-
Aquaculture	P	P	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-
<u>Brewery, Distillery, Winery, Cidery, Meadery</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	C	-	-	-	P	P	C
Concentrated animal feeding operation (including concentrated animal feeding operation, concentrated aquatic animal production facility, or concentrated confined animal feeding)	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dairy	C	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Farmers markets	-	P	C	C	-	-	-	-	-	-	-	-	-	C	C	C	C	-	-	-	-	-	C
Feedlots/livestock facilities	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Forestry/silvicultural activity consistent with Code of Virginia § 10.1-1126.1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-
General agricultural uses, farming	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Licensed limited brewery	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Licensed limited distiller	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Mini-farms (excluding concentrated animal feeding operation, concentrated aquatic animal production facility, or concentrated confined animal feeding operation)	-	P	P	P	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-
Neighborhood gardens	-	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	P	-	-	-	-	-	-
Nursery, wholesale or commercial	-	P	C	C	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	P	P	-



Materials recovery facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	
Recycling center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	--
Recycling plant	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--
Resource recovery system	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--
Sanitary landfill	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--
Sewage sludge unit	--	C	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--
Sewage treatment plant	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--
Solid waste management facility	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--
Transfer station, hazardous waste or solid waste	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--
<b>AVIATION OR SURFACE TRANSPORTATION PASSENGER TERMINAL:</b>																							
Airports and heliports (commercial use multi-purpose)	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	C	--
Bus/commuter stops/light rail stations	--	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Bus/railroad depot/taxi stand	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	C	C	P	P	P	P
Helipads and airstrips	--	C	--	--	--	--	--	--	--	--	--	--	--	--	C	--	--	C	C	C	C	--	--
Helipads and airstrips (private non-commercial use only)	--	C	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
All other aviation or surface passenger terminals	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	C	--
<b>SOLAR ENERGY</b>																							
Solar energy facilities	--	C	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	--

TABLE 406-1: PRINCIPAL USES PERMITTED IN ZONING DISTRICTS																						
Specific Use Type	Zoning Districts																					
<b>WIND ENERGY:</b>																						
	C	A	RR	RE	RL	RLM	RM	RC	RU	RU-12	RU-18	RU-24	MUC-40	B-1	B-2	VC	CBD	O-1	CP	M-1	M-2	FRRD
Wind energy facilities—Large	--	C	C	C	--	--	--	--	--	--	--	--	--	--	C	--	--	--	C	C	C	--
Wind energy facilities—Small	--	P	P	P	--	--	--	--	--	--	--	--	--	--	P	--	--	--	P	P	P	--
Wind energy facilities—Utility Scale	--	C	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C	C	--

...

## APPENDIX "A" – DEFINITIONS

...

**ARTS, CRAFTS, BOUTIQUE, OR ARTISAN WORKSHOP:** A primary retail use that offers artisan products and crafts such as paintings, ceramics, glassware, fixtures, jewelry, apparel, and folk art that may include a small workshop or studio as an accessory use up to 2,000 square feet.

...

**BREWERY, DISTILLERY, WINERY, CIDERY, MEADERY:** A facility for the production and/or packaging of alcoholic beverages (including beer, liquor, wine, cider, or mead) for distribution, retail, or wholesale, on or off premises. A Brewery, Winery, Cidery, or Meadery that produces at least 15,000 barrels of beer, wine, alcoholic cider, or mead per year, or a Distillery that produces at least 36,000 gallons of distilled spirits, may include retail, tasting room, lounge, restaurant, taproom, or tavern as an accessory use.

...

**BUSINESS INCUBATOR/ENTERPRISE CENTER/BUSINESS ACCELERATOR:** A facility under single management and a single certificate of occupancy providing professional workspace and developmental support for multiple emerging businesses. The use is characterized by stationary, fixed-base tenancy, shared professional infrastructure focusing on uses generally permitted by right in the O-I, CBD, and B-I districts or otherwise determined by the Zoning Administrator, as well as training and business development support. This use is distinguished from periodic commercial markets or multi-vendor shared dining environments by its requirement for continuous entrepreneurial residency and integrated business support functions.

...

~~**CUSTOM MANUFACTURING:** An establishment primarily engaged in the on-site production of goods by hand manufacturing that involves only the use of hand tools or domestic mechanical equipment not exceeding two (2) horsepower or a single kiln not exceeding eight (8) kilowatts, and the incidental direct sale to customers of goods produced on the site. Typical custom manufacturing uses include ceramic studios and custom jewelry manufacturing.~~

**CUSTOM MANUFACTURING:** A workshop with limited production, without an assembly line, of works of art, handicrafts, or goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment that do not generate or produce any exterior emissions. Retail shops up to 2,000 square feet and/or instruction spaces are permitted as an accessory use to custom manufacturing workshops.

...

**MICROBREWERY, MICRO-DISTILLERY, MICRO-WINERY, MICRO-CIDERY, MICRO-MEADERY:** A facility for the small-scale production and packaging of alcoholic beverages/spirits of the following types and quantities for distribution, retail, or wholesale, on or off the premises, not more than 15,000 barrels per year of beer, wine, alcoholic cider, or mead, or not more than 36,000 gallons of distilled spirits. Permitted accessory uses shall include retail sales, tasting rooms for beverages produced on-site, and restaurants.

...

**MOTION PICTURE AND VIDEO PRODUCTION:** An establishment primarily engaged in producing, or producing and distributing motion pictures, videos, television programs, or television commercials.

...

**SOUND RECORDING STUDIO AND OTHER SOUND RECORDING FACILITY:** An establishment that provides indoor audio recording/production and post-production services to produce master recordings with sound attenuation. These establishments may provide audio services for film, television, and video productions.

...

**THEATER:** An indoor facility with a permanent stage or screen for the presentation of live or recorded entertainment, and which contains an audience viewing hall or room with fixed seats.

...

**AGENDA: June 17, 2026, Regular Session**

**ITEM: Public Hearing** – An ordinance to amend Section 31-406(c), Section 31-701(b)(13), and Appendix “A” of the Unified Development Ordinance of the City of Suffolk, Virginia; OTA2026-005

Attached for your consideration is information pertaining to Ordinance Text Amendment OTA2026-005, initiated by the City of Suffolk, for amendments to Section 31-406(c), Section 31-701(b)(13), and Appendix “A” of the Unified Development Ordinance. The purpose of the text amendment is to update and refine the Code of the City of Suffolk, Chapter 31, Unified Development Ordinance.

The Planning Commission, at their meeting on May 21, 2026, voted 7 to 0 to approve a resolution recommending **approval** of the proposed text amendments.

**ATTACHMENTS:**

Staff Report

Proposed Ordinance

Exhibit A – Planning Commission Recommendation

Exhibit B – “Amendments to Section 31-406(c), Section 31-701(b)(13), and Appendix “A” of the Unified Development Ordinance of the City of Suffolk, Virginia”

# STAFF REPORT

## DESCRIPTION

**ORDINANCE TEXT AMENDMENT OTA2026-005:** Presented for your consideration, attached please find proposed amendments to Unified Development Ordinance of the Code of the City of Suffolk Sections 31-406(c), 31-701(b)(13), and Appendix “A”. The purpose of the text amendment is to update and refine the Code of the City of Suffolk, Chapter 31, Unified Development Ordinance due to a change in circumstance.

**APPLICANT:** The proposed ordinance text amendment has been initiated by the City of Suffolk.

**PUBLIC NOTICE:** This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance.

## STAFF ANALYSIS

### ISSUE AND BACKGROUND

This proposed Ordinance Text Amendment (OTA) aims to amend various sections of the Unified Development Ordinance (UDO) to modernize regulations concerning Accessory Dwelling Units. Proposed amendments include modifications to Section 31-406, Table 406-1 and adding a definition to Appendix “A” to accommodate the proposed changes to the supplemental standards for accessory dwelling units (ADU) within Section 31-701(b)(13).

Recently on April 13, 2026, the Governor signed a bill (SB531) into effect which changes the way localities in the Commonwealth can regulate accessory dwelling units (ADUs). This recently passed bill has a delayed effective date of July 1, 2027, however staff is proposing this OTA in order to be in compliance with state regulations prior to the enactment of the bill.

The Code of Virginia defines an ADU as a “independent dwelling unit on a residential dwelling lot with its own living, bathroom, and kitchen space.” Currently, the UDO distinctly defines “detached” and “attached” ADUs in two separate definitions and regulates them differently within Table 406-1. Staff has proposed to combine the two ADU definitions into one singular definition; an ADU is “a clearly subordinate dwelling unit which provides complete living, sleeping, sanitation, and cooking facilities that is suitable for occupancy as one (1) dwelling unit, which may be internal, attached, or detached from the principal dwelling.”

As noted above, a new bill has been approved which will effectively mandate accessory dwelling units to be allowed by right in all single-family residential zoning districts in Virginia localities. Therefore, ADUs will be permitted as a matter of right in all Suffolk zoning districts that allow single-family dwellings; Agriculture (A), Rural Estate (RE), Rural Residential (RR), Residential Low (RL), Residential Low Medium (RLM), Residential Medium (RM), Residential Compact (RC), Residential Urban (RU), Residential Urban-12 (RU-12), Residential Urban-18 (RU-18),

Village Center (VC), Central Business District (CBD), and Fairgrounds Revitalization and Redevelopment District (FRRD). The changes to Table 406-1 within Section 31-406 are proposed to comply with this change in State Code, as well as to reflect the consolidation of ADUs into a single use definition in Appendix “A” by the removal of the “detached” and “attached” distinguishment and the changes in the supplement use standards, which are detailed below.

Staff conducted research and analyzed neighboring localities to see different standards for ADUs. One neighboring locality, Isle of Wight County, has a standard for ADUs that states no more than two (2) bedrooms are permitted in an accessory apartment. The City of Norfolk does not require an additional off-street parking spot for ADUs. Further, in Norfolk, an ADU can only be located on a lot that provides the minimum number of parking spaces required for the principal dwelling. Another nearby locality, Newport News, does not have any additional off-street parking requirements for ADUs.

Pursuant to the forthcoming change in State Code and in an effort to modernize the City’s regulations, staff proposes to amend the supplemental standards for ADUs within in Section 31-701(b)(13).

- The requirement for a Conditional Use Permit (CUP) has been removed to permit ADUs by-right in applicable zoning district. To ensure the ADU is subordinate to the primary dwelling, ADUs are proposed to be regulated by lot coverage maximums and limited to two (2) bedrooms.
- There are proposed amendments of the procedural nature, including removing an outdated annual compliance review by the Zoning Administrator and requiring a Certificate of Occupancy to be obtained for detached ADUs.
- To ensure the preservation of prime agricultural land, in the A, RE, and RR zoning districts, on lots greater than four (4) acres in size must be within four-hundred (400) feet of the primary dwelling.
- To ensure ADUs have adequate access, a standard is proposed to require a clear unobstructed path to a public right-of-way from the ADU.
- The requirement for an additional off-street parking space solely for an ADU is proposed to be removed. However, the principal dwelling is still subject to the minimum parking requirement of the two off-street spaces.
- Another proposed standard is permitting ADUs to be rented out for thirty (30) consecutive days or longer.

### **RECOMMENDATION**

Overall, staff propose the following changes to the Unified Development Ordinance for ADUs to modernize regulations and to come into compliance with the forthcoming changes to the State Code. In that regard, the proposed text amendment within the attached Exhibit “B” is presented for your favorable consideration with a staff recommendation for **approval**.

The Planning Commission, at their meeting on May 21, 2026, voted 7 to 1 to approve a resolution

City Council  
June 17, 2026  
OTA2026-005  
Page 3 of 4

recommending **approval** of the proposed text amendments.

**Attachments**

- **Proposed Ordinance**
- **Exhibit A – Planning Commission Recommendation**
- **Exhibit B – “Amendments to Sections 31-406(c), Section 31-701(b)(13), and Appendix “A” of the Unified Development Ordinance of the City of Suffolk, Virginia”**

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE TO AMEND SECTIONS 31-406(C), 31-701(B)(13), AND APPENDIX "A" OF THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF SUFFOLK, VIRGINIA; OTA2026-005**

WHEREAS, the City of Suffolk, Virginia has initiated the aforementioned amendments to the Code of the City of Suffolk, Chapter 31, Unified Development Ordinance, for the purpose of updating and improving clarity and consistency due to a change in circumstances; and,

WHEREAS, the specified amendments to the Unified Development Ordinance as shown in Exhibit "B" are in compliance with the 2045 Comprehensive Plan, as adopted; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A"; and,

WHEREAS, the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

- Section 1. Exhibit "B," "Amendments to Sections 31-406(c), 31-701(b)(13), and Appendix "A" of the Unified Development Ordinance of the City of Suffolk, Virginia which is attached hereto, is hereby incorporated as part of this ordinance.
- Section 2. Unified Development Ordinance, Sections 31-406(c), 31-701(b)(13), and Appendix "A" is hereby amended to read as referenced in Exhibit "B".
- Section 3. All phrases, clauses, sentences, paragraphs, subsections, sections and chapters of the Code not amended hereby remain in full force and effect.

This ordinance shall be effective on upon passage and shall not be published.

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_

Erika S. Dawley, City Clerk

Approved as to Form:

  
William E. Hutchings, Jr., City Attorney

**“Exhibit B”**

**“Amendments to Sections 31-406(c), 31-701(b)(13), and Appendix “A” of the Unified  
Development Ordinance of the City of Suffolk, Virginia”**

ARTICLE 4 - ZONING

...

SEC. 31-406. USE REGULATIONS

...

TABLE 406-1: PRINCIPAL USES PERMITTED IN ZONING DISTRICTS																						
Specific Use Type	Zoning Districts																					
	C	A	R R	R E	R L	RL M	R M	R C	R U	RU- 12	RU- 18	RU- 24	MU C- 40	B- 1	B- 2	V C	CB D	O- I	C P	M -1	M -2	FR RD
<b>RESIDENTIAL DWELLING UNITS AND GROUP LIVING:</b>																						
Accessory dwelling unit, attached ( <del>§ 31-701</del> )	—	P	P	P	P	P	P	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	—	—	—	—	<del>P</del>	<del>P</del>	—	—	—	—	P
Accessory dwelling unit, detached ( <del>§ 31-701</del> )	—	P (+)	P (+)	P (+)	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	—	—	—	—	<del>P</del>	<del>P</del>	—	—	—	—	<del>P</del>
Adult care residence/assisted living facility	—	C	C	C	C	C	C	C	C	C	C	C	C	—	—	C	C	P	—	—	—	C
Adult day care center	—	C	C	C	C	C	C	C	C	C	C	C	C	P	P	C	C	P	—	C	—	C
Boarding house	—	—	—	—	—	—	—	—	C	—	—	—	—	P	—	C	C	—	—	—	—	C
Business residence/residential hotel	—	—	—	—	—	—	—	—	—	—	—	—	—	P	C	P	P	P	C	C	—	P
Dormitory	—	C	C	C	—	—	—	—	C	—	—	—	—	C	—	P	P	—	—	—	—	P
Dwelling, garden apartment	—	—	—	—	—	—	—	P	P	P	P	P	P	C	—	P	P	—	—	—	—	P
Dwelling, quadruplex (§ 31-712)	—	—	—	—	—	—	—	P	P	P	P	P	P	C	—	—	—	—	—	—	—	P
Dwelling, single-family detached (§ 31-712)	—	P	P	P	P	P	P	P	P	P	—	—	—	—	—	P	P	—	—	—	—	P
Dwelling, townhouse or rowhouse (§ 31-712)	—	—	—	—	—	—	C	P	P	P	P	P	P	C	—	P	P	—	—	—	—	P
Dwelling, triplex (§ 31-712)	—	—	—	—	—	—	—	P	P	P	P	—	—	C	—	—	—	—	—	—	—	P
Dwelling, two-family (including duplexes, single-family semi-detached, and single-family attached dwellings)	—	—	—	—	—	—	C	P	P	P	P	—	—	—	—	P	P	—	—	—	—	P
Dwelling, multi-family and apartment buildings (not otherwise enumerated)	—	—	—	—	—	—	—	P	P	P	P	P	P	—	—	C	P	—	—	—	—	P

Group homes—Maximum of 8 residents not including onsite resident counselors (Ref. VC 15.2-2291)	—	P	P	P	P	P	P	P	P	P	—	—	—	C	—	P	P	—	—	—	—	P
Manufactured homes (§ 31-712)	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mixed use dwelling	—	—	—	—	—	—	—	C	C	C	P	P	P	P	P	P	P	—	—	—	—	P
Residential subdivisions, major or hamlet option use pattern (§ 31-411(f))	—	—	C	C	C	C	C	C	C	C	—	—	—	—	—	P	—	—	—	—	—	—
Residential subdivisions, major, cluster use pattern (§ 31-411(c))	—	—	P	P	P	P	P	P	P	P	—	—	—	—	—	P	—	—	—	—	—	—
Residential subdivisions, major, conventional option	—	—	P	P	P	P	P	P	P	P	P	P	P	—	—	P	—	—	—	—	—	P
Residential subdivisions, minor (Art. 5, § 31-506(b)), conventional option	—	P	P	P	P	P	P	P	P	P	P	P	P	—	—	P	P	—	—	—	—	P
Retirement village (sec § 31-713)	—	—	—	C	C	C	C	C	C	C	C	—	—	C	—	—	P	—	—	—	—	P
Subdivision, mixed use, TND option (§ 31-411(g))	—	—	C	—	C	C	C	C	C	C	C	C	—	C	—	—	C	—	—	—	—	P
Temporary shelters for transitional housing	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—
Temporary shelters for indigent and homeless persons, and similar facilities with onsite residential counselors (non-governmental)	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	C	C	—	—	—	—	—
<b>INSTITUTIONAL, CIVIC, RECREATION AND ENTERTAINMENT:</b>																						
Animal pound/animal shelter	—	P	C	—	—	—	—	—	—	—	—	—	—	C	P	C	—	—	—	P	P	—
Animal pet cemetery	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Amusement/entertainment/recreation center, indoor	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	C	—	C	C	C	—
Amusement/entertainment/recreation center, outdoor	—	C	—	—	—	—	—	—	—	—	—	—	—	C	—	C	C	—	C	C	—	—
Boathouse	P	P	P	P	P	P	P	P	P	—	—	—	—	P	P	P	P	P	P	P	P	—
Arenas, equestrian	—	P	P	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bed & Breakfast (§ 31-703)	—	C	C	C	C	C	C	P	P	P	—	—	—	P	P	C	C	P	—	—	—	C
Campgrounds (excluding primitive camps)	C	C	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—

Camps, primitive	C	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Camps, summer	C	C	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—	—
Cemetery	—	P	P	P	P	P	P	P	P	—	—	—	—	C	C	C	C	—	—	—	C	—
Child day camp	—	C	C	C	—	—	—	—	—	—	—	—	—	C	—	C	—	—	—	—	—	—
Child-caring institution (including nursery schools)	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	C	P	P	—	—	—	C
College or university	—	C	C	C	—	—	—	—	C	—	—	—	C	—	P	P	P	P	C	—	P	—
Civic building	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	C	P	—	C	—	C
Cultural uses, including museums, art galleries, opera houses	—	—	P	P	P	P	P	P	P	P	P	P	C	P	P	P	P	P	C	—	P	—
Day care (family day home), 1— 4 children	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—	—	—	—	P
Day care (family day home), 5— 12 children	—	C	C	C	C	C	C	C	C	C	—	—	—	C	C	C	C	—	—	—	—	C
Day care, child day center	—	—	—	—	—	—	—	—	C	C	C	C	C	C	C	C	C	C	P	C	—	C
Day care, child (as accessory use to permitted place of worship or school)	—	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	—	—	—	C
Detention, jails, honor camps, reformatories	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—
Fishing and boating facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	—	—	—	—	—
Game and hunting preserves	C	C	C	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Golf course	C	P	C	C	C	C	C	C	C	C	—	—	—	—	—	—	—	—	—	—	—	—
Golf driving ranges	C	P	C	C	—	—	—	—	—	—	—	—	—	C	C	C	C	—	C	C	—	—
Health club/physical fitness facility	—	—	—	—	—	—	—	—	C	C	C	C	C	P	P	P	P	P	P	P	P	P
Club, golf, tennis, swim	—	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	—	—	P
Hotels and motels	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	C	C	P	C	C	—
Hunting, fishing, game preserves and recreational clubs or camps (not including recreational vehicle campgrounds)	P	P	C	C	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Lakes/reservoirs	P	C	C	C	C	C	C	C	C	—	—	—	—	C	C	C	C	C	C	C	C	—
Libraries	—	—	P	P	P	P	C	C	C	C	C	C	P	P	P	P	P	P	—	—	—	P
Marinas	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	—	P	P	—	C	C	—
Medical care facility not otherwise enumerated	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	P	P	—	—	C

Medical clinics and dental offices	—	—	—	—	—	—	—	—	—	C	C	C	C	P	P	P	P	P	P	P	—	—	P
Medical, counseling centers (non-resident)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	P	P	P	P	—	—	P
Medical, counseling centers (non-resident) treatment of drug abuse and/or alcohol	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	C	C	C	C	—	—	C
Medical, general hospitals	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	C	C	P	P	—	—	C	
Medical, nursing facility or nursing home	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	P	—	—	C	
Medical, outpatient hospitals or special hospitals	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	C	C	P	P	—	—	C
Medical, physical and mental rehabilitation (resident)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	—	—	C	—	—	—	—
Membership clubs and lodges	—	C	C	C	C	—	—	—	C	—	—	—	—	—	C	C	C	C	C	—	—	—	C
Natural area preserve	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—
Parking, commercial (not owned or operated by a public agency)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	C	C	C	C	C	C
Parks, neighborhood	—	P	P	P	P	P	P	P	P	P	P	P	P	P	—	P	P	—	—	—	—	—	P
Parks/open space (generally)	—	P	P	P	P	P	P	P	P	P	P	P	P	C	C	C	C	C	C	P	C	C	P
Private clubs/lodges	—	C	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	C	—	—	—	C	
Probation and parole offices	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	C	—	—	C	C	—	
Recreation, outdoor (generally)	C	C	C	C	—	—	—	—	—	—	—	—	—	—	C	C	—	C	—	—	—	—	—
Place of worship, large, at least 6,000 square feet in main sanctuary	—	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	—	—	—	C	
Place of worship, small, under 6,000 square feet in main sanctuary	—	P	P	P	P	P	P	P	P	P	P	P	C	C	C	C	C	C	—	—	—	C	
Public assembly not otherwise enumerated	—	C	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	C	—	—	—	C	
Ranch, commercial	C	P	C	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Recreational vehicle park	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Resort/guest ranch	—	C	C	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Safety services	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Stable, commercial	C	P	P	C	—	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	—	—
Stable, private	C	P	P	P	—	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	—	—
Schools, business or trade	—	—	—	—	—	—	—	—	—	—	—	C	C	—	C	C	C	C	C	P	C	C	C
Schools, boarding	—	C	C	C	C	C	C	C	C	C	C	C	—	C	C	C	C	C	P	—	—	—	C

School, charter, private, or parochial	—	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	C	C	P	—	—	—	C
Schools, dance/art/music schools	—	—	—	—	—	—	—	—	—	—	—	C	C	P	P	P	P	P	P	—	—	—	P
Schools, elementary	—	C	C	P	P	P	P	P	P	P	P	P	C	P	C	P	C	P	P	—	—	—	C
Schools, nursery or preschool	—	—	—	—	—	—	—	—	—	C	C	C	C	P	P	C	C	P	P	P	—	—	C
Schools, secondary or middle	—	C	C	P	P	P	P	P	P	P	—	—	—	C	C	P	C	P	P	—	—	—	C
Shooting ranges, indoor or outdoor (indoor only in CBD)	—	C	—	—	—	—	—	—	—	—	—	—	—	—	C	—	C	—	—	C	C	—	—
Swimming pools (not private residential)	—	C	C	C	C	C	C	C	C	—	—	—	—	C	C	C	P	P	C	—	—	—	P
Utilities, electric transformer stations (excluding those exempt under local, state or federal law)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Utilities, transmission lines (excluding those exempt under local, state or federal law)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Utilities, utility installations (excluding installations by City of Suffolk and others exempt under state and federal law)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Utility facilities, not specifically enumerated (excluding those exempt under local, state or federal law)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Utility service facilities (excluding those exempt under local, state or federal law)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Utility stations (excluding those exempt under local, state or federal law)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Zoo, indoor or outdoor (indoor only in CBD)	—	C	—	—	—	—	—	—	—	—	—	—	—	—	C	—	C	C	—	C	C	—	—
<b>OFFICES:</b>																							
Flex-space	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	C	C	P	P	P	P	P	C
Office parks	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	P	P	C	C	—
Offices	—	—	—	—	—	—	—	—	—	C	C	C	P	P	P	P	P	P	P	P	P	C	P
<b>COMMERCIAL AND RETAIL:</b>																							
Retail Sales and Service (Generally, not otherwise enumerated)	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	P	C	C	—	—	—	—	C





Mini-warehouse	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	P	—	—
Model home display park	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	C	C	—
Nurseries/greenhouses (primarily wholesale) with on-premises retail sales	—	P	C	—	—	—	—	—	—	—	—	—	—	C	P	P	—	—	—	—	—	—
Passenger vehicle, motorcycle, recreational vehicle, boat, all terrain vehicle, golf cart/low speed vehicle sales, new and used	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	C	C	—	—	—	—	C
Passenger vehicle, motorcycle, recreational vehicle, boat, all terrain vehicle, golf cart/low speed vehicle sales, used only	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—
Pawn shops	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	C	—	—	—	—	C
Pharmacy	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	P	P	C	—	—	—	P
Photography studio	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	P	P	P	—	—	—	P
Rental services other than passenger vehicles: indoor display/storage	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—	P	P	P
Rental services other than passenger vehicles: outdoor display or storage	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	C	—	—	P	P	C
Repair services, large appliance	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	P	C	—	—	P	P	C
Repair services, small appliance	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	P	P	—	—	P	P	P
Restaurants, sit-down/delicatessen	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	P	P	P	C	P	P	P
Rural commercial and retail	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Services, general	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	P	—	P	P	P
Services, personal	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	P	C	—	—	—	—	P
Shopping centers less than 25,000 square feet	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	P
Shopping centers, 25,000 to 120,000 square feet (see § 31-715 for supplemental regulations)	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	C	C	—	—	—	—	C
Shopping centers, greater than 120,000 square feet (see § 31-715 for supplemental regulations)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—

Tattoo parlors and body piercing saloons	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	—	—	—
Thrift stores, consignment stores	—	—	—	—	—	—	—	—	—	—	—	C	C	P	P	P	P	—	—	—	—	P
Theaters	—	—	—	—	—	—	—	—	—	—	—	C	C	—	P	P	P	C	—	—	—	P
Tire recapping and storage (not junkyards)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	C	C	—
Tobacco store	—	—	—	—	—	—	—	—	—	—	—	—	C	P	P	P	P	P	—	—	—	P
Truck repair	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	C	P	—
Truck stop/travel plaza	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	C	P	—
Vehicle rentals—passenger vehicles only, including recreational vehicles	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	—	—	—	—	—
<b>INDUSTRIAL, MANUFACTURING, RESEARCH AND WHOLESALE:</b>																						
Animal food manufacturer	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	—
Automobile auction	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	—
Automobile graveyard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—
Automobile storage lot including vehicle tow yards	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	—
Cleaning and processing establishment	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	—
Container depot, shipping	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—
Custom manufacturing	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	C	—	C	C	P	C
Food processing establishment	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	—
Heavy equipment and industrial storage lots	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	—
Indoor operations and storage, assembly	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	P	—
Indoor operations and storage, food products	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	P	—
Indoor operations and storage, manufacturing/processing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	P	—
Indoor operations with outdoor storage, assembly	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	—
Indoor operations with outdoor storage, food products	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	—
Indoor operations with outdoor storage, manufacturing/processing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	—
Industrial park	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—

Junkyards/salvage yards	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	
Machine shop	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	—
Motion picture and video production (NAICS 51211)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—
Outdoor operations and storage, assembly	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—
Outdoor operations and storage, food products	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—
Outdoor operations and storage, manufacturing/processing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—
Research and development, laboratories	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	P	P	P	P	P	C
Research and development, offices	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	P	P	P	P	P	C
Truck terminal	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	—	C	P	—
Warehouse and freight storage (indoor operations, storage and loading)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	P	—
Warehouse and freight storage (indoor storage with outdoor loading docks)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	P	—
Warehouse and freight storage (outdoor storage or loading)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	—
Warehousing and distribution, general	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—
Warehousing, wholesale and distribution, limited	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—
Wholesale sales, generally (indoor operations, storing and loading)	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	—	P	P	—
<b>AGRICULTURAL AND EXTRACTIVE USES:</b>																						
Agribusiness	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P	—
Animal feeding operation (excluding concentrated animal feeding operation, concentrated aquatic animal production facility, or concentrated confined animal feeding operation)	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—
Aquaculture	P	P	C	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	—

Concentrated animal feeding operation (including concentrated animal feeding operation, concentrated aquatic animal production facility, or concentrated confined animal feeding)	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Dairy	C	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Farmers markets	—	P	C	C	—	—	—	—	—	—	—	—	—	C	C	C	C	—	—	—	—	C
Feedlots/livestock facilities	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Forestry/silvicultural activity consistent with Code of Virginia § 10.1-1126.1	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—
General agricultural uses, farming	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Licensed limited brewery	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Licensed limited distiller	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mini-farms (excluding concentrated animal feeding operation, concentrated aquatic animal production facility, or concentrated confined animal feeding operation)	—	P	P	P	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	—	—
Neighborhood gardens	—	P	P	P	P	P	P	P	P	P	P	P	P	—	—	P	P	—	—	—	—	—
Nursery, wholesale or commercial	—	P	C	C	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	P	P
Oil or gas drilling	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C
Production agriculture and silviculture (see Code of Virginia § 15.2-2288)	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Quarry	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C
Sand or gravel extraction or processing	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C
Sawmills	C	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	P
Surface mining (borrow pits)	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C
Wetlands mitigation bank	C	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Winery or micro-brewery	—	C	—	—	—	—	—	—	—	—	—	—	—	—	P	C	C	—	—	—	C	P
<b>TELECOMMUNICATIONS FACILITIES:</b>																						



Solid waste management facility	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	
Transfer station, hazardous waste or solid waste	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—
<b>AVIATION OR SURFACE TRANSPORTATION PASSENGER TERMINAL:</b>																							
Airports and heliports (commercial use multi-purpose)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	—
Bus/commuter stops/light rail stations	—	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Bus/railroad depot/taxi stand	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	C	C	P	P	P	—	
Helipads and airstrips	—	C	—	—	—	—	—	—	—	—	—	—	—	C	—	—	C	C	C	C	—	—	
Helipads and airstrips (private non-commercial use only)	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
All other aviation or surface passenger terminals	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	C	—	—	
<b>SOLAR ENERGY</b>																							
Solar energy facilities	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	—

TABLE 406-1: PRINCIPAL USES PERMITTED IN ZONING DISTRICTS																						
Specific Use Type	Zoning Districts																					
<b>WIND ENERGY:</b>	C	A	RR	RE	RL	RLM	RM	RC	RU	RU-12	RU-18	RU-24	MUC-40	B-1	B-2	VC	CBD	O-I	CP	M-1	M-2	FRRD
Wind energy facilities— Large	—	C	C	C	—	—	—	—	—	—	—	—	—	—	C	—	—	—	C	C	C	—
Wind energy facilities— Small	—	P	P	P	—	—	—	—	—	—	—	—	—	—	P	—	—	—	P	P	P	—
Wind energy facilities— Utility Scale	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	—

**Notes:**

~~(1) Any detached accessory dwelling unit in the A, Agricultural, RR, Rural Residential and RE, Rural Estate zoning districts on lots of less than one (1) acre requires a conditional use permit.~~

(12) Indoor Live Entertainment shall be permitted as an accessory use to a permitted principal use in any district where allowed as a matter of right from 7:00 a.m. until 10:00 p.m. Any Live Entertainment outside of these hours or outdoors will require a conditional use permit from city council.

...

## ARTICLE 7 - SUPPLEMENTAL USE REGULATIONS

...

### SEC. 31-701. ACCESSORY USES AND STRUCTURES.

...

- (b) **ACCESSORY USES PERMITTED IN CONJUNCTION WITH RESIDENTIAL USES.** The following accessory uses shall be permitted in conjunction with residential uses:

...

- (13) Accessory dwelling units, where permitted pursuant to Section 31-406 of this Ordinance, shall be established only on properties developed as detached single-family residences and in accordance with the following criteria:
- A. Accessory dwelling units shall comply with the minimum setback and lot coverage and intensity of use regulations for the principal dwelling unit as set forth in Section 31-407 of this Ordinance.
  - B. On properties that contain a principal dwelling unit of 2,000 square feet or less, the accessory dwelling unit shall not contain a gross floor area greater than fifty percent (50%) of the gross floor area of the principal dwelling unit. On properties that contain a principal dwelling unit greater than 2,000 square feet, the accessory dwelling unit shall not contain a gross floor area greater than 1,000 square feet.
  - C. All accessory dwelling units shall be connected to the principal dwelling unit's central water and sewer or septic system. In the case of detached accessory dwelling units, a separate water and sewer or septic system may be utilized if the lot contains not less than four (4) acres and the detached accessory dwelling unit is separated from the principal dwelling unit by not less than one hundred (100) feet.
  - D. Only one (1) accessory dwelling unit shall be permitted per lot.
  - E. The establishment of an accessory dwelling unit shall not require the creation of additional off-street parking spaces beyond the minimum number of spaces required for the principal dwelling unit. If the principal dwelling does not currently provide the minimum required off-street parking spaces, the property shall be brought into compliance with the minimum parking requirement in Section 31-606 prior to issuance of a certificate of occupancy for the accessory

~~dwelling unit. Required parking for the detached accessory dwelling unit shall be located on the property of the principal structure in accordance with the standards established in the parking standards of this Ordinance. One (1) additional off-street parking space shall be required for each permitted accessory dwelling unit in addition to that required for the principal dwelling unit.~~

- F. ~~The accessory dwelling unit shall not be offered for rental purposes~~ for a period of 30 days or less.
- G. ~~Occupancy of the a~~Accessory dwelling units shall be comprised of no more than two (2) bedrooms. not exceed one (1) person per two hundred (200) square feet of gross floor area.
- H. ~~The zoning permit shall be reviewed for compliance by the Zoning Administrator on an annual basis.~~
- Hf. Any detached accessory dwelling unit in the A, Agricultural, RR, Rural Residential and RE, Rural Estate zoning districts on lots greater of less than four one (41) acres shall not be located more than 400 feet from the primary structure requires a conditional use permit.
- I. Any detached accessory dwelling units shall have a clear, maintained, and unobstructed means of egress to the public right of way.
- J. Any detached accessory dwelling units must obtain a Certificate of Occupancy prior to use as a dwelling unit.

...

## APPENDIX "A" – DEFINITIONS

...

~~**DWELLING, ATTACHED ACCESSORY:** A separate and complete housekeeping unit which provides complete living, sleeping, sanitation, and cooking facilities that is suitable for occupancy as a home or residence by one (1) or more persons and which is attached to or located within, and is clearly subordinate to the principal detached single family dwelling.~~

~~**DWELLING, DETACHED ACCESSORY:** A separate and complete housekeeping unit which provides complete living, sleeping, sanitation, and cooking facilities that is suitable for occupancy as a home or residence by one (1) or more persons, and which is detached from and located outside of, and is clearly subordinate to the principal detached single family dwelling located on the same lot.~~

...

DWELLING UNIT, ACCESSORY: A clearly subordinate dwelling unit which provides complete living, sleeping, sanitation, and cooking facilities that is suitable for occupancy as one (1) dwelling unit, which may be internal, attached, or detached from the principal dwelling.

**AGENDA: June 17, 2026, Regular Session**

**ITEM: Ordinance** – An ordinance to amend Section 90-521 of the Code of the City of Suffolk concerning Billing and Payment, Interest, Liens for Stormwater

Attached for Council's consideration and approval is an ordinance which amends Section 90-521 entitled "Billing and payment, interest, liens" of Chapter 90, Division 3 - Stormwater Utility Fees, of the City Code.

**RECOMMENDATION:**

Approve the attached ordinance.

**ATTACHMENT:**

Ordinance

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE TO AMEND SECTION 90-521 OF THE CITY OF SUFFOLK CONCERNING BILLING AND PAYMENT, INTEREST, LIENS FOR STORMWATER**

BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that Section 90-521 entitled "Billing and payment, interest, liens" of the Code of the City of Suffolk, Virginia, 1998, is hereby amended to read as follows:

Sec. 90-521. - Billing and payment, interest, liens.

- (a) All properties, except undeveloped property, shall be rendered bills or statements for stormwater services. Such bills or statements may be combined with the real estate tax bill levied pursuant to City Code provided that all charges shall be separately stated. The finance director is hereby authorized and directed to create policies and procedures for the efficient billing and collection of the combined bill, including a policy for allocating payments to the separate charges stated on the combined bill.
- (b) The bills or statements shall include a date by which payment shall be due. All bills for charges prescribed by this article shall be deemed delinquent if not paid in full to the city treasurer's office by the end of the business day it is due, or the next working day in the event the due date is a city recognized holiday or weekend day.
- (c) Billing for the utility fee shall be rendered in arrears on a prorated basis to all chargeable persons and shall represent charges for each day of the preceding billing period of stormwater service with penalties and interest added as stated on the bill. In the event charges are not paid when due, interest thereon shall commence on the due date and shall accrue at the established rate per annum until such time the overdue payment and interest are paid.
- (d) Any delinquent bill shall be collected by any means available to the city. All payments and interest due may be recovered by action at law or suit in equity. Unpaid fees and interest accrued shall constitute a lien against the property, ranking on a parity with liens for unpaid taxes. Records of all unpaid fees and interest, indexed by the name of the record owner of the real estate, shall be maintained in the city treasurer's office.
- (e) In the event charges are not paid when due, interest thereon shall commence on the due date and accrue at the rate of ten percent per annum until such time as the overdue payment and interest is paid.
- (f) When developed properties are brought into the utility, fees will accrue and be billed in the next billing cycle having been prorated from the date of the certificate of occupancy. ~~commencing on July 1, being noted as a property of record in the annual landbook.~~
- (g) In the event of alterations or additions to developed ~~multifamily~~ multifamily property ~~or developed nonresidential property~~, which alter increase the amount of impervious

surface area, the utility fees will be adjusted in the next billing cycle upon either the date of the certificate of occupancy or upon completion of construction where no certificate of occupancy is required. ~~upon the preparation of the annual landbook on July 1.~~

- (h) In the event of alterations or reductions which result in a decrease in the amount of impervious surface, the utility fee will be adjusted on December 1 for those alterations occurring between July 1 and December 1. Alterations or reductions occurring after December 1 shall be adjusted on July 1.

BE IT FURTHER ORDAINED that any phrases, clauses, sentences, paragraphs, sections and chapters of the Code not amended or repealed hereby remain in full force and effect.

BE IT FURTHER ORDAINED that this ordinance shall be effective upon its passage and shall not be published.

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_

Erika S. Dawley, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
William E. Hutchings, Jr., City Attorney

**AGENDA: June 17, 2026, Regular Session**

**ITEM: Ordinance** – An ordinance to amend Sections 70-58, 70-124, and 70-173 of the Code of the City of Suffolk concerning Civil Penalty Schedule, Placement of City-issued Automated Containers and Recycling Containers for Collection, and Billing and Payment, Interest, Liens for Solid Waste

Attached for Council’s consideration and approval is an ordinance which amends Sections 70-58 “Civil Penalty Schedule”, 70-124 “Placement of City-issued Automated Containers and Recycling Containers for Collection”, and 70-173 “Billing and Payment, Interest, Liens” of Chapter 70 - Solid Waste, of the City Code.

**RECOMMENDATION:**

Approve the attached ordinance.

**ATTACHMENT:**

Ordinance

**ORDINANCE NUMBER \_\_\_\_\_**

**AN ORDINANCE TO AMEND SECTIONS 70-58, 70-124, AND 70-173 OF THE CODE OF THE CITY OF SUFFOLK CONCERNING CIVIL PENALTY SCHEDULE, PLACEMENT OF CITY-ISSUED AUTOMATED CONTAINERS AND RECYCLING CONTAINERS FOR COLLECTION, AND BILLING AND PAYMENT, INTEREST, LIENS FOR SOLID WASTE**

BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that Sections 70-58, 70-124, and 70-173 of Chapter 70, "Solid Waste" of the Code of the City of Suffolk, Virginia, 1998, are hereby amended to read as follows:

Sec. 70-58. – Civil penalty schedule.

A civil penalty for the schedule of offenses below will be assessed for violations of the following sections of this chapter:

For Violation of Section	Penalty
--------------------------	---------

70-91....\$250.00  
70-93....\$250.00  
70-94....\$250.00  
70-95....\$250.00  
70-96....\$250.00  
70-97....\$250.00  
70-98....\$250.00  
70-123....\$50.00  
70-124....\$100.00  
70-125....\$250.00  
70-127....\$250.00

\*\*\*

Sec. 70-124. - Placement of city-issued automated containers and recycling containers for collection.

(a) City-issued automated containers and recycling containers shall be placed on the curb line or road shoulder adjacent to the property owners' boundary line no earlier than 5:00 p.m. on the day before the scheduled collection and no later than 7:00 a.m. on the days of collection designated by the city manager or their designee. Residents or property occupants shall not place garbage and trash containers on public right-of-way in front of or adjoining any property other than their own, without the permission of the residents or property occupants. Occupants of property used for commercial purposes shall place such containers on the curb line or road shoulder no later than 7:00 a.m. on such days as shall be designated by the city manager for collection; except that where such commercial property abuts upon a public alley of such width as to properly accommodate collection trucks, the city-issued automated

or compatible refuse containers may, with the approval of the city manager or their designee, be placed at the alley for collection.

(b) All city-issued automated or compatible refuse containers shall be removed from the curb line or road shoulder line as soon as practicable after they have been emptied.

(c) Occupants of property located within the downtown influence area as designated in the adopted downtown master plan, as it may be amended from time to time, shall remove all containers before the hour of ~~12:00 p.m.~~ 10:00 a.m. on days of collection.

(d) Properties within the downtown influence area must place containers behind the front plane of the building or screened as to not be visible from the street or public right-of-way except during designated collection times. Where this is not possible, the city manager or their designee can identify a location.

(e) Businesses located on the north side of West Washington Street between Saratoga Street and Main Street are required to place their refuse containers in an area designated by the city manager or their designee behind 123 North Main Street.

\*\*\*

Sec. 70-173. - Billing and payment, interest, liens.

(a) All properties included in the refuse program shall be rendered bills or statements for refuse and recycling services. Such bills or statements may be combined with the real estate tax bill levied pursuant to city Code provided that all charges shall be separately stated.

(b) The bills or statements shall include a date by which payment shall be due. All bills for charges prescribed by this article shall be deemed delinquent if not paid in full to the treasurer by the end of the business day it is due, or the next working day in the event the due date is a city recognized holiday or weekend day.

(c) Billing for the service fee shall be rendered in arrears on a prorated basis to all chargeable persons and shall represent charges for each day of the preceding billing period of refuse and recycling service with penalties and interest added as stated on the bill. In the event charges are not paid when due, interest thereon shall commence on the due date and shall accrue at the established rate per annum until such time the overdue payment and interest are paid.

(d) Any delinquent bill shall be collected by any means available to the city. All payments and interest due may be recovered by action at law or suit in equity. Unpaid fees and interest accrued shall constitute a lien against the property, ranking on a parity with liens for unpaid taxes. Records of all unpaid fees and interest, indexed by the name of the record owner of the real estate, shall be maintained in the city treasurer's office.

(e) In the event charges are not paid when due, interest thereon shall commence on the due date and accrue at the rate of ten percent per annum until such time as the overdue payment and interest is paid.

(f) When properties are brought into the refuse program, ~~fees will be due commencing on July 1, having been prorated from the date of the occupancy permit issued and being noted as a property of record in the annual Landbook.~~ service fees will accrue and be billed in the next billing cycle having been prorated from the date of the certificate of occupancy.

(g) In the event of alterations or additions to properties in the refuse program, which increase the number of billable units, the service fees will be adjusted ~~upon the preparation of the annual Landbook on July 1~~ in the next billing cycle upon either the date of the certificate of occupancy or upon completion of construction where no certificate of occupancy is required.

(h) In the event of alterations to properties in the refuse program, which reduce the number of billable units, the service fees will be adjusted ~~on December 1 for those alterations occurring between July 1 and December 1. Alterations or adjustments occurring after December 1 shall be adjusted upon the preparation of the annual Landbook on July 1.~~ upon completion of demolition permit final inspection.


BE IT FURTHER ORDAINED that any phrases, clauses, sentences, paragraphs, sections and chapters of the Code not amended or repealed hereby remain in full force and effect.

BE IT FURTHER ORDAINED that this ordinance shall be effective upon its passage and shall not be published.

READ AND PASSED: \_\_\_\_\_

TESTE: \_\_\_\_\_  
Erika S. Dawley, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
William E. Hutchings, Jr., City Attorney

# **Resolutions**

# **Staff Reports**

**AGENDA: June 17, 2026, Regular Session**

**ITEM:** **Motion** - A motion to have the City of Suffolk's Planning Commission draft an amendment to the Unified Development Ordinance to Prohibit Data Centers as a Use in all zoning districts

**RECOMMENDATION:**

Approve the motion

# **Non-Agenda Speakers**

# **New Business**

# **Announcements and Comments**