

**SUFFOLK PLANNING COMMISSION
AGENDA FOR
MAY 21, 2026**



**PREPARED BY THE CITY OF SUFFOLK DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT
KEVIN WYNE, AICP, DIRECTOR OF PLANNING & COMMUNITY
DEVELOPMENT**

**THE REGULAR MEETING WILL BE HELD AT 2:00 P.M. IN
THE SUFFOLK CITY COUNCIL CHAMBERS OF THE CITY HALL BUILDING**

**IF YOU CANNOT ATTEND OR NEED SPECIAL ACCOMODATIONS AT THE
MEETING, PLEASE CALL THE CITY OF SUFFOLK DEPARTMENT OF PLANNING
& COMMUNITY DEVELOPMENT AT (757) 514-4060
PRIOR TO 12:00 NOON ON FRIDAY, MAY 15, 2026.**

**MILLS STAYLOR
CHAIRMAN**

Suffolk
VIRGINIA
It's a good time to be in Suffolk



AGENDA

SUFFOLK PLANNING COMMISSION

May 21, 2026

2:00 P.M.

-
1. Call to Order
 - A. Invocation
 - B. Pledge of Allegiance
 - C. Roll Call
 2. Approval of minutes from previous meeting
 3. Family Transfer Subdivision Plat:
 - A. **FAMILY TRANSFER SUBDIVISION PLAT FTR2025-005:** submitted by Taylor Dickinson applicant, on behalf of Kenneth Dickinson and Jolene Dickinson, property owner, requesting a family subdivision pursuant to Section 31-514 of the Unified Development Ordinance, to approve a Family Subdivision Plat to create one (1) new parcel, on property located at 1293 Barnes Road. Zoning Map 50 Parcel 1*3. The affected property is further identified as being located in the Holy Neck Voting Bourgh, zoned A, Agriculture Zoning District. The City's 2045 Comprehensive Plan identities this property as being located within the Rural Agricultural Land Use Type.
 4. Public Hearings:
 - A. **REZONING REQUEST, RZN2025-00010 (Conditional), Mount Lebanon Missionary Baptist Church:** submitted by Kimberly Williams, The Mount Lebanon Missionary Baptist Church, applicant, on behalf of New Dominion Pictures Inc., 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 in order 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. 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.
 - B. **CONDITIONAL USE PERMIT REQUEST, CUP2025-00021, Mount Lebanon Missionary Baptist Church:** submitted by Kimberly Williams, The Mount Lebanon Missionary Baptist Church, applicant, on behalf of New Dominion Pictures Inc., property owner in accordance with Section(s) 31-306 and 31-406 of the Unified Development Ordinance, to grant the Conditional Use Permit to establish a “place of worship, large, at least 6,000 square feet in main sanctuary” use on 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. The 2045 Comprehensive Plan designates this area as part of the Northern Growth Area, Office/Institutional Land Use Type.

- C. **CONDITIONAL USE PERMIT REQUEST, CUP2026-00010, Bizzy Bees Learning Experience:** submitted by Rebekah Faulkner, applicant and property owner, in accordance with Sections 31-306, 31-406, and 31-701 of the Unified Development Ordinance, to grant the Conditional Use Permit to establish a family day home for up to 12 children on property located at 113 Mallard Drive, Zoning Map 25E, Parcel 3B*1. The affected area is further identified as being located in the Chuckatuck Voting Borough, zoned RC, Residential Compact Zoning District. The 2045 Comprehensive Plan designates this area as part of the Central Growth Area, Traditional Neighborhood Land Use Type.
- D. **ORDINANCE TEXT AMENDMENT, OTA2026-04,** initiated by the City of Suffolk, for amendments to Section 31-406, Table 406-1, and Appendix A, Definitions, of the Unified Development Ordinance of the City of Suffolk, Virginia.
- E. **ORDINANCE TEXT AMENDMENT, OTA2026-05,** initiated by the City of Suffolk, for amendments to Section 31-406, Table 406-1, Section 31-701, Accessory Uses and Structures, and Appendix A, Definitions, of the Unified Development Ordinance of the City of Suffolk, Virginia.

5. Old Business

5. New Business

A. Staff Report – Significant Land Use Item

- **CONDITIONAL USE PERMIT REQUEST, CUP2026-00004, Myrtle Mitigation Bank:** submitted by James Parker, applicant on behalf of Clearwater Mitigation VI, LLC, property owner, in accordance with Section(s) 31-306 and 31-406 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish a wetlands mitigation bank on property located at 2101 Buckhorn Drive, Zoning Map 30, Parcel 14. The affected area is further identified as being located in the Holy Neck Voting Borough, zoned A, Agricultural Zoning District. The 2045 Comprehensive Plan designates this area as outside of the Growth Area, Rural Agriculture Land Use Type.

B. Status Report - City Council Meeting - None

C. Status Report - Preliminary Plats Approved - None

6. Commissioner’s Comments

7. Adjournment

MINUTES

SUFFOLK PLANNING COMMISSION

April 21, 2026

2:00 P.M.



The meeting of the Suffolk Planning Commission was held on Tuesday, April 21, 2026, at 2:00 p.m., in the Council Chambers of the Municipal Building, 442 W. Washington Street, Suffolk, Virginia, with the following persons present:

MEMBERS:

Mills Staylor, Chairman
Mary Ellen Baur
Oliver Creekmore
Johnnie Edwards
Gerald Goodman
Thomas Powell
Selena Thornton-Manuel

STAFF:

William Hutchings, Jr., City Attorney
Kevin Wyne, Dir. of Planning & Com. Dev.
Margaret Pittenger, Asst. Dir. of Planning
William Mellon, Zoning Administrator
Caitlin Aubut, Land Use Planning Manager
Jonathan McBride, Comp. Planning Manager
Brittany Colyer, Current Planning Manager
Goncalo Borges, Senior Planner
Cassidy McKelvie, Senior Planner
Shannon Wolfe, Senior Planner
Matthew Madariaga, Planner I
Isabella Reynolds, Planner I
Yasaman Maleki, Planner I
Catina Myrick, Administrative Analyst

The meeting was called to order by Chairman Staylor. Commissioner Creekmore offered the Invocation and led the Pledge of Allegiance. The roll was called by Mr. Wyne and the Chairman was informed that a quorum was present.

APPROVAL OF MINUTES:

The minutes of the previous meeting were approved as written.

PUBLIC HEARINGS:

REZONING REQUEST, RZN2024-00015, Hillpoint Trace II: submitted by Brian Layne, applicant, on behalf of Jerry L. Bowman, 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 for property zoned PD, Planned Development Zoning District, in order to amend the planned development master plan for the property located at 1015 S. Hillpoint Rd, Zoning Map 26F(1B), Parcel C. The affected area is further identified as being located in the Chuckatuck Voting Borough, zoned PD, Planned Development Zoning District. The 2045 Comprehensive Plan designates this area as part of the Central Growth Area, Traditional Neighborhood Land Use Type. Traditional Neighborhood Land Use Type.

The first item of business was introduced by the Chairman followed by a staff report by Goncalo Borges, Senior Planner. Mr. Borges stated that the applicant proposed conditionally rezone 5.2 acres of the subject property, from a total of 8 acres, to amend the Hillpoint Farms master plan by changing the designated land use of a portion of the subject parcel from “Commercial” to “Residential (Apartments)”. This would allow the development of 79 affordable multifamily units for households earning 80% of the area median income or less. The remainder 3-acre portion of the 8-acre subject property will be reserved for a future commercial development. The proposed development would yield 15.49 units per acre, which is within the maximum density allowed by the Hillpoint Farms master plan of 16 units per acre. The proposed development includes a road connection to Commercial Lane (to the south), two stormwater management facilities, a picnic table shelter, and two bicycle racks. The applicant submitted a Traffic Impact Memorandum. The 79 multifamily units are

expected to generate 532 daily trips, with 32 trips taking place at the morning (AM) peak hour, and 40 in the evening (PM) peak hour. While the proposed layout provides shared access to the commercial portion to the north, as well as a sidewalk connection to this commercial area, the layout does not directly connect to the future Hillpoint Trace I. The parking lot and drive aisle ends and flows north to Hillpoint Boulevard. While an exterior sidewalk connection along Hillpoint Boulevard South and Hillpoint Boulevard is adequate, it was staff's opinion that both Hillpoint Trace I and Hillpoint Trace II would work best if connected internally. This connection could be pedestrian-only or both vehicular and pedestrian. A pedestrian trail to the east, along the central stormwater management facility (SWMF), could offer the needed connectivity and a positive recreational opportunity. The applicant submitted a Voluntary Proffer Statement with seven conditions tied to the proposed development. This proposal would add 79 affordable housing units, addressing a significant need in the city, and the density is consistent with the Hillpoint Farms master plan, which sets the maximum at 16 units per acre. This development fulfills an existing housing need at an adequate density for this area of the City. However, staff have concerns about the overall design and how the project aligns with the 2045 Comprehensive Plan. Specifically, the proposed layout lacks direct connections to the adjacent Hillpoint Trace I neighborhood and does not link effectively to nearby commercial areas,

limiting overall neighborhood cohesion. Although amenities are proposed—such as sidewalks, bike racks, and a picnic area—the plan lacks detail on the “active” recreational space and its location, staff believe improvements such as internal road connections and trail systems would better support the Comprehensive Plan’s goals. Additionally, the layout does not clearly demonstrate the creation of a “quality place”, particularly due to missing internal connections and reliance on a future, uncertain commercial component. The proposal also reduces planned commercial areas within the Godwin and Hillpoint areas, which conflicts with the mixed-use vision for the Godwin Boulevard corridor as it continues to develop. This proposal also removes a significant commercial area from the Hillpoint Farms master plan, thus undermining the mixed-use vision of the master plan. Such removal does not support the emerging Route 10 - Godwin Boulevard corridor as a viable commercial market. In summary, staff found that this rezoning request does not meet all of the goals and intent of the 2045 Comprehensive Plan, Therefore, staff recommended denial of this application. The public hearing was opened and speaking in favor of this application was Brian Layne, 7021 Harbourview Blvd., Suffolk, VA.

There being speakers in opposition, the public hearing was closed.

After discussion by the Commission, Commissioner Edwards made a motion to deny this application, seconded by Commissioner Thornton-Manuel and passed by a recorded vote of 6 to 1.

REZONING REQUEST, RZN2025-00009, (Conditional) 400 Jonathan's Way: submitted by Bob Arnette, Coastal Virginia Partners, LLC, applicant, on behalf of Shelley C. Atkinson, Alison C. Darden, and Mark G. Cline, property owners, 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 in order to change the zoning from RR, Rural Residential Zoning District to RM, Residential Medium Density (Conditional) Zoning District, for property located at 400 Jonathan's Way Zoning Map 26, Parcel 7B. The affected area is further identified as being located in the Chuckatuck Voting Borough, zoned RR, Rural Residential Zoning District, and SCOD, Special Corridor Overlay District Zoning District. The 2045 Comprehensive Plan designates this area as part of the Central Growth Area, Rural Neighborhood Land Use Type.

The next item of business was introduced by the Chairman followed by a staff report by Goncalo Borges, Senior Planner. Mr. Borges stated that the applicant proposed to conditionally rezone the entirety of the 26-acre subject property from RR, Rural Residential Zoning District, to RM, Residential Medium Density (Conditional) Zoning District. As part of this rezoning, the applicant proposed the development of 43 age-restricted (55 years of age or older) single-family detached units, and it is retaining the existing single-family dwelling as a market-rate unit. This makes a total of 44 units in this development. The proposed development will yield a density of 4.2 units per acre, which is just within the maximum 4.4 units per acre permitted in the RM zoning district. The conceptual plan also proposed infrastructure improvements,

which include a private 30-foot wide drive for all 44 units, domestic water and sanitary sewer services, and one stormwater management facility (BMP). The proposed rezoning from RR to RM (Conditional) aligns with the goals and objectives of the Comprehensive Plan, which encourages greater land use predictability and compatibility between the subject property and other properties and uses in the vicinity. While the proposed RM zoning is not one of the applicable zoning districts for the Rural Neighborhood Land Use Type, staff acknowledged that RM is compatible with the zoning districts found in the vicinity, such as the RM-zoned properties to the west of the subject property. With regard to the density range, the proposed development density of 4.2 units per acre conflicts with the Comprehensive Plan's suggested density range of 0.3 to 1 unit per acre for Rural Neighborhoods. However, the proposed RM designation and density tend to align with what is already established in the vicinity. There are some concerns that staff have shared with the applicant – there is a need for more amenities, accessibility, and pedestrian-friendly infrastructure on the site. This is especially critical when the proposed development is an age-restricted active community. Staff also had concerns regarding the proximity and access to services and retail, and has expressed concerns regarding the proposed site layout, noting that several proposed units are not buildable without impacting the CBPA's RPA 100' buffer. The applicant proffered 9 conditions in support of this

rezoning request. Upon analyzing all documentation and plans, staff found that there are some items regarding the site layout, wetlands impact, and amenities that need to be addressed at the plan review stage. However, it is staff's opinion that RM sets the density range to an acceptable density that does align with the existing conditions of the property and its adjacent neighborhood. Therefore, staff recommended approval of this application with the proffered conditions.

The public hearing was opened and speaking in favor of this application was Grady Palmer, 222 Central Park Avenue, Virginia Beach, VA.

Speaking in opposition was Brenda Kerr, 2731 River Watch Drive, Suffolk, VA.

Also, speaking in opposition was George Fidler, 279 Jonathan's Way, Suffolk, VA.

Also, speaking in opposition was Misty Turner, 104 Pippin Drive, Suffolk, VA.

Speaking in rebuttal was Grady Palmer.

There being no more speakers, the public hearing was closed.

After discussion by the Commission, Commissioner Edwards made a motion to approve this application with the proffers, seconded by Commissioner Goodman and passed by a recorded vote of 7 to 0.

CONDITIONAL USE PERMIT REQUEST, CUP2025-00013, Enterprise Shoulders Hill Road: submitted by Melissa R Lounsbery, Enterprise Leasing Company of Norfolk/ Richmond, on behalf of Barry Wayne Saunders, 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 vehicle rentals – passenger vehicles only, including recreational vehicles, use on property located at

5665 Shoulders Hill Road, Zoning Map 12, Parcel 55*1D. The affected area is further identified as being located in the Sleepy Hole Borough, zoned B-2, General Commercial District Zoning District, and SCOD, Special Corridor Overlay District. The 2045 Comprehensive Plan designates this area as part of the Northern Growth, Commercial Corridor Land Use Type.

The next item of business was introduced by the Chairman followed by a staff report by Isabella Reynolds, Planner I. Ms. Reynolds stated that this application is to establish an Enterprise, a passenger vehicle rental facility. The proposed Enterprise will consist of an office building and a vacuum-car wash structure. On September 9, 2025 a variance was granted from the Board of Zoning Appeals to reduce the SCOD rear yard setback from 30 feet to 20 feet. A condition of approval is the installation of a 6-foot solid fence that will be perpetually maintained along the rear property line. The proposed fence and landscaping will provide screening from the future residential development behind the proposed Enterprise. The proposed hours of operations are Monday through Friday, from 8 AM to 6 PM, Saturday from 9 AM to 12 PM and Sunday, from Sunday 10 AM to 2 PM. The proposed Enterprise will consist of 10 employees. As stated in the narrative by the applicant, the vacuum car wash will be for employee use only and will not be open to the public. The narrative mentioned a complimentary pick-up and drop-off service that Enterprise provides for its customers. The proposed complimentary pick up and drop off service will help reduce individual vehicle trips to and from the property, as the Enterprise will have a shuttle driver who

will carpool multiple customers at once. The proposed Enterprise is not anticipated to generate a high volume of traffic as majority of customer visits are by appointment and the proposed Enterprise will provide a complimentary shuttle service. Shoulders Hill Road is currently being widened to four lanes, which will help alleviate the traffic along Shoulders Hill Road. In conclusion, this conditional use permit does sufficiently satisfy the criteria as set forth in the UDO. The proposed Enterprise is aligned with the Commercial Corridor land use designation in the 2045 Comprehensive Plan. Furthermore, the proposed use is consistent with the intent of the B-2 zoning district and is compatible with the surrounding commercial uses. Also, the proposed use is not anticipated to have adverse impacts to the surrounding community. Therefore, staff recommended approval of this application with the conditions noted in the staff report.

The public hearing was opened and speaking in favor of this application was Tyler Rosa', Williams & Mullen of Virginia Beach, VA.

There being no speakers in opposition, the public hearing was closed.

After discussion by the Commission, Commissioner Creekmore made a motion to approve this application with the conditions, seconded by Commissioner Thornton-Manuel and passed by a recorded vote of 6 to 0. (*Commissioner Goodman not present for vote.*)

CONDITIONAL USE PERMIT REQUEST, CUP2026-00003, Parole Office Dill Road: submitted by James K. Jolley, applicant, on behalf of Brickcraft Masonry, Inc., property owner, in accordance with Section(s) 31-306 and 31-406 of the Unified Development Ordinance, to grant the Conditional Use Permit to establish a probation and parole office on property located on Dill Road, Zoning Map 34, Parcel 88*7. The affected area is further identified as being located in the Whaleyville Voting Borough, zoned M2, Heavy Industrial Zoning District. The 2045 Comprehensive Plan designates this area as part of the Central Growth Area, Employment Center Land Use Type.

The next item of business was introduced by the Chairman followed by a staff report by Matthew Madariaga, Planner I. Mr. Madariaga stated that this application is to establish a probation and parole office on a roughly 2.44-acre property. The probation and parole office is proposed to be staffed by approximately 40 Commonwealth of Virginia employees with office hours of 8:15am to 5:00pm. The applicant stated that the proposed building will be 11,210 square feet in size and the site will be developed with paved parking areas, stormwater management facilities, internal sidewalks and landscaping. The frontage of the property along Dill Road will be improved with streetscaping, a sidewalk, curb and gutter, and a closed drainage system. The applicant's conceptual plan showed impacts to some wetland areas. Permitting for these impacts through the Virginia Department of Environmental Quality and the Army Corp of Engineers will be required at time of site plan review before any site plan can be approved. It was staff's opinion that the site in question is appropriate for the proposed use given that the proposed use is less intensive than uses generally

permitted in the M-2 zoning district by-right. Accordingly, staff recommended approval of this application with the conditions noted in the staff report.

The public hearing was opened and speaking in favor of this application was Melissa Venable, Land Planning Solutions, 5857 Harbourview Blvd., Suffolk, VA.

There being no speakers in opposition, the public hearing was closed.

After discussion by the Commission, Commissioner Thornton-Manuel made a motion to approve this application with the conditions, seconded by Commissioner Edwards and passed by a recorded vote of 6 to 0. (*Commissioner Goodman not present for vote.*)

CONDITIONAL USE PERMIT REQUEST, CUP2026-00005, U-Haul Pruden Blvd: submitted by Hassan Rabbani, applicant on behalf of Edifice Holdings LLC property owner, in accordance with Section(s) 31-306 and 31-406 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish rental services other than passenger vehicles (outdoor display or storage) on property located at 2864 Pruden Blvd, Zoning Map 25, Parcel 38H. The affected area is further identified as being located in the Chuckatuck Voting Borough, zoned B2, General Commercial Zoning District. The 2045 Comprehensive Plan designates this area as part of the Central Growth Area, Commercial Corridor Land Use Type.

The next item of business was introduced by the Chairman followed by a staff report by Caitlin Aubut, Land Use Planning Manager. Ms. Aubut stated that the applicant proposed to display 10 U-Haul trucks, offered for rent, in the parking lot near the front of the property. Customers will conduct rental transactions at the front reception counter within the motel, and U-Haul trucks will be dropped off and picked up by

customers on the property. The applicant graphically depicts 10 parking spaces at the front and side of the motel parking lot on their concept plan where trucks will be parked. Each parking space is 17 to 18 feet in length, with two-way 24-foot wide drive aisles circulating the parking lot. A condition of approval is proposed to limit rental trucks to 20 feet in length to ensure the drive-aisle remains accessible for customers and emergency vehicles. No servicing or repair of trucks on-site is proposed by the applicant, and a condition of approval is proposed to enforce this. Given that the site is developed with an operating motel and proposed cigar lounge/restaurant, parking on site was examined to ensure adequate minimum spaces were available for both the existing and proposed uses combined. 87 parking spaces are currently required based on the number of motel rooms (99) and floor area of the proposed cigar lounge/restaurant (5,200 square feet, per the applicant). Given the applicant's sketch plan depicts 182 total parking spaces, there appears to be adequate excess parking spaces to accommodate 10 U-Hauls to be parked for display in the parking lot. In the opinion of staff, the limited display of 10 U-Haul trucks for rental in available parking spaces on the subject property represents a minimal increase in intensity and is unlikely to produce adverse impacts on the surrounding area. The proposed use is consistent with the commercial character of this section of Pruden Blvd. and appropriate conditions of approval will address truck display and rental operations to

ensure the use remains appropriately scaled for the site. Therefore, due to the considerations and conclusions noted in this report, staff recommended approval of this application with the conditions noted in the staff report.

The public hearing was opened and speaking in favor of this application was Hassan Rabbani, applicant.

There being no speakers in opposition, the public hearing was closed.

After discussion by the Commission, Commissioner Thornton-Manuel made a motion to approve this application with the conditions, seconded by Commissioner Creekmore and passed by a recorded vote of 5 to 1. *(Commissioner Goodman not present for vote.)*

CONDITIONAL USE PERMIT REQUEST, CUP2026-00008, Precious Metal Pawn: submitted by John Wade Hampton Lloyd, applicant on behalf of RIRA Realty Management, LLC, property owner, in accordance with Section(s) 31-306, 31-406, and 31-711 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish a pawn shop on property located at 821 W Constance Road, Zoning Map 34G15(1), Parcels G and F. The affected area is further identified as being located in the Suffolk Voting Borough, zoned B-2, General Commercial Zoning District. The 2045 Comprehensive Plan designates this area as a part of the Central Growth Area, Commercial Corridor Land Use Type.

The next item of business was introduced by the Chairman followed by a staff report by Yasaman Maleki, Planner I. Ms. Maleki stated that this application is to establish a pawn shop, offering items for sale and short-term loans, in Unit 11 of the Suffolk West Plaza shopping center. The subject property is 1862 square feet in size, surrounded by

a variety of established commercial, office, and service uses. The proposed use is not anticipated to increase traffic or impede the orderly development of the surrounding property nor should it compromise public interest or welfare. All firearms will be displayed along the backside of the store walls during business hours of Monday to Saturday from 10am to 7pm. All firearms will be securely stored inside a safe within the store premises afterhours. In conclusion, this conditional use permit does sufficiently satisfy the criteria as set forth in the UDO. The proposed pawn shop is aligned with the Commercial Corridor land use designation in the 2045 Comprehensive Plan. Furthermore, the proposed use is consistent with the intent of the B-2 zoning district and is compatible with the surrounding commercial uses. Also, the proposed use is not anticipated to have adverse impacts to the surrounding community. Therefore, staff recommended approval of this application with the conditions noted in the staff report.

The public hearing was opened and speaking in favor of this application was John Wade Hampton Lloyd, applicant.

There being no speakers in opposition, the public hearing was closed.

After discussion by the Commission, Commissioner Creekmore made a motion to approve this application with the conditions, seconded by Commissioner Edwards and failed by a recorded vote of 3 to 3. (*Commissioner Goodman not present for vote.*)

EXCEPTION REQUEST, CEX2025-00012, 8005 Beech Tree Court: submitted by Cameron Robinett, applicant and property owner in accordance with Section 31-415 of the Unified Development Ordinance, to grant an Exception to the development criteria and buffer area requirements of the Chesapeake Bay Preservation Area to permit the reconstruction of a deck to encroach within the Resource Protection Area buffer, on property located at 8005 Beech Tree Court, Zoning Map 5C, parcel (1)*43. The affected area is further identified as being located in the Chuckatuck Voting Borough, zoned RL, Residential Low Density Zoning District. The 2045 Comprehensive Plan designates this area as part of the Northern Growth Area, Traditional Neighborhood Land Use Type.

The next item of business was introduced by the Chairman followed by a staff report by Cassidy McKelvie, Senior Planner. Ms. McKelvie stated that this Chesapeake Bay Exception request is for the replacement of a deck within the 50-foot landward portion of the 100-foot RPA buffer. The 2045 Comprehensive Plan designates this area as part of the Northern Growth Area and Suburban Neighborhood Land Use type. The 100' RPA buffer extends landward of the tidal wetlands connected to a tributary of the Nansemond River located on the eastern portion of the property. The applicant proposed to replace an existing 175 square-foot deck. Materials and equipment will be stored outside of the RPA buffer on the existing asphalt driveway. Plywood barriers will be used along the access path to prevent excess land disturbance during active construction. A total of 300 square-feet of land disturbance is proposed in order to demolish the existing deck and construct the new deck. According to the buffer manual, one planting unit is required to be planted back within the buffer for every 400 square feet of land disturbance. A planting unit typically consists of one canopy

tree, two understory trees, and three small shrubs. The applicant proposed planting two large shrubs, exceeding the required mitigation. In conclusion, the applicant proposed to replace a 175 square-foot deck with a smaller 85 square-foot deck, which will reduce the amount of impervious coverage within the RPA buffer. Additionally, the applicant proposed to plant more vegetation than what is required for mitigation according to the Buffer Manual. Land disturbance has been minimized, and no vegetation will be removed. Staff found that this exception request to replace an existing deck with a smaller deck within the 100-foot Resource Protection Area (RPA) buffer satisfies the criteria as set forth in the UDO. Therefore, staff recommended approval of this application with the conditions noted in the staff report.

The public hearing was opened. There being no speakers in favor or in opposition, the public hearing was closed.

After discussion by the Commission, Commissioner Powell made a motion to approve this application with the conditions, seconded by Commissioner Thornton-Manuel and passed by a recorded vote of 5 to 1. (*Commissioner Goodman not present for vote.*)

STATUS UPDATE:

Mr. Wyne reported on the results of the March 18th and April 15th City Council meetings.

NEW BUSINESS:

Commissioner Creekmore made a motion to initiate an ordinance text amendment in reference to Data Centers, seconded by Commissioner Edwards and passed by a voice vote of 6 to 0. *(Commissioner Goodman not present for vote.)*

Commissioner Creekmore made a motion to initiate an ordinance text amendment in reference to Use Alignment with the Arts & Cultural District, seconded by Commissioner Baur and passed by a voice vote of 6 to 0. *(Commissioner Goodman not present for vote.)*

Commissioner Creekmore made a motion to initiate an ordinance text amendment in reference to Accessory Dwelling Unit (ADU) Amendments, seconded by Commissioner Edwards and passed by a voice vote of 6 to 0. *(Commissioner Goodman not present for vote.)*

ADJOURNMENT:

There being no further business, the meeting was adjourned.



PLANNING COMMISSION
MEETING

April 21, 2026

MT: Edwards
2ND: Thornton-Manuel
TO: Deny

MT: Edwards
2ND: Goodman
TO: Approve
w/proffers

MT: Creekmore
2ND: Thornton-
Manuel
TO: Approve
w/conditions

MT: Thornton-
Manuel
2ND: Edwards
TO: Approve
w/conditions

			VOTE: 6-1 RZN2024-015		VOTE: 7-0 RZN2025-09		VOTE: 6-0 CUP2025-013		VOTE: 6-0 CUP2026-03	
	PRESENT	ABSENT	YES	NO	YES	NO	YES	NO	YES	NO
Baur, Mary Ellen	X		X		X		X		X	
Creekmore, Oliver	X			X	X		X		X	
Edwards, Johnnie	X		X		X		X		X	
Goodman, Gerald	X		X		X		<i>Not present for vote</i>		<i>Not present for vote</i>	
Hicks, Anita		X								
Powell, Thomas	X		X		X		X		X	
Staylor, Mills	X		X		X		X		X	
Thornton-Manuel, Selena	X		X		X		X		X	



PLANNING COMMISSION
MEETING

April 21, 2026

MT: Thornton-Manuel

2ND: Creekmore

TO: Approve
w/conditions

MT: Creekmore

2ND: Edwards

TO: Approve
w/conditions

MT: Powell

2ND: Thornton-
Manuel

TO: Approve
w/conditions

MT: Creekmore

2ND: Edwards

TO: Initiate
ordinance text
amendment in
reference to data
centers

			VOTE: 5-1		VOTE: 3-3		VOTE: 5-1		VOTE: 6-0	
			CUP2026-05		CUP2026-08		CEX2025-012			
	PRESENT	ABSENT	YES	NO	YES	NO	YES	NO	YES	NO
Baur, Mary Ellen	X		X			X	X		X	
Creekmore, Oliver	X		X		X		X		X	
Edwards, Johnnie	X			X		X		X	X	
Goodman, Gerald	X		<i>Not present for vote</i>		<i>Not present for vote</i>		<i>Not present for vote</i>		<i>Not present for vote</i>	
Hicks, Anita		X								
Powell, Thomas	X		X			X	X		X	
Staylor, Mills	X		X		X		X		X	
Thornton-Manuel, Selena	X		X		X		X		X	



PLANNING COMMISSION
MEETING

April 21, 2026

MT: Creekmore
2ND: Baur
TO: Initiate ordinance text amendment in reference to use alignment with the arts & cultural district

MT: Creekmore
2ND: Edwards
TO: Initiate ordinance text amendment in reference to accessory dwelling unit amendments

MT:
2ND:
TO:

MT:
2ND:
TO:

VOTE: 6-0

VOTE: 6-0

VOTE:

VOTE:

			VOTE: 6-0		VOTE: 6-0		VOTE:		VOTE:	
	PRESENT	ABSENT	YES	NO	YES	NO	YES	NO	YES	NO
Baur, Mary Ellen	X		X		X					
Creekmore, Oliver	X		X		X					
Edwards, Johnnie	X		X		X					
Goodman, Gerald	X		<i>Not present for vote</i>		<i>Not present for vote</i>					
Hicks, Anita		X								
Powell, Thomas	X		X		X					
Staylor, Mills	X		X		X					
Thornton-Manuel, Selena	X		X		X					



CITY OF SUFFOLK

442 W. WASHINGTON STREET, P.O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4060 FAX: (757) 514-4099

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT
Division of Planning

May 21, 2026

Suffolk Planning Commission
City of Suffolk, Virginia

Dear Commissioners:

Attached for your consideration is information pertaining to Family Subdivision Plat FTR2025-005, submitted by Taylor Dickinson, applicant, on behalf of Jolene Dickinson and Kenneth Dickinson, property owners, requesting a family subdivision pursuant to Section 31-514 of the Unified Development Ordinance, to approve a Family Subdivision Plat to create one (1) new parcel, on property located at 1293 Barnes Road, Zoning Map 50, Parcel 1*3. The affected property is further identified as being located in the Holy Neck Voting Borough, zoned A, Agricultural Zoning District. The City's 2045 Comprehensive Plan identifies this property as being located outside of the growth area, Rural Agricultural Land Use Type.

Information and maps pertaining to this request are attached for your consideration. Please contact either myself or Isabella Reynolds, the staff planner handling this case, if you have any questions in advance of the meeting.

Respectfully submitted,

Kevin Wyne, AICP
Director of Planning and Community Development

Attachments

STAFF REPORT

DESCRIPTION

FAMILY SUBDIVISION PLAT FTR2025-005: Family Subdivision Plat, FTR2025-005, requesting a Family Subdivision to create one (1) new parcel pursuant to Section 31-514 of the Unified Development Ordinance.

APPLICANT: Submitted by Taylor Dickinson, applicant, on behalf of Jolene and Kenneth Dickinson, property owners. A copy of this staff report was sent to the applicant on May 15, 2026.

LOCATION: The subject property is located at 1293 Barnes Road, and is further identified as Tax Map 50, Parcel 1*3.

PRESENT ZONING: A, Agricultural Zoning District.

EXISTING LAND USE: The property is 17.73 acres in size and contains a single-family dwelling where the property owner resides, as well as pastures and various agricultural structures.

PROPOSED LAND USE: This Family Subdivision is proposed to create one (1) new lot for Jolene and Kenneth Dickinson's daughter, Taylor Dickinson. Jolene and Kenneth Dickinson will retain ownership of the residual parcel.

SURROUNDING LAND USES:

North: Vacant agricultural land zoned A, Agricultural Zoning District.
East: Single family dwellings zoned A, Agricultural Zoning District.
West: Single family dwellings zoned A, Agricultural Zoning District.
South: Single family dwellings zoned A, Agricultural Zoning District.

COMPREHENSIVE PLAN: The City's 2045 Comprehensive Plan designates the property as being located outside the growth area, Rural Agricultural Land Use Type.

CHESAPEAKE BAY PRESERVATION AREA DESIGNATION: The property is located outside of the Chesapeake Bay Preservation Area Overlay District.

CASE HISTORY: The property owners have been in possession of the subject property the required minimum period prior to initiating this family subdivision request, in accordance with the provisions of the UDO, as further detailed in this report.

STAFF ANALYSIS

ISSUE

Jolene and Kenneth Dickinson own a 17.73-acre property located at 1293 Barnes Road, from which they propose to subdivide an approximately 1.51 acre parcel for Taylor Dickinson, their daughter, pursuant to the requirements of Section 31-514 of the Unified Development Ordinance (UDO). Jolene and Kenneth Dickinson will retain 16.23 acres as a residual parcel.

CONSIDERATIONS AND CONCLUSIONS

1. Section 31-514(a) of the Unified Development Ordinance (UDO) states “it is the purpose and intent of a Family Subdivision to keep the family estate within the immediate family and not for the purpose of short term investment for sale after division to those outside of the immediate family. It is the further intent to provide family members the ability to remain in close proximity as housing needs change, to provide mutual opportunities for support and care of family members, and to allow the preservation of family land holdings which might otherwise be fragmented for economic reasons.”. The applicant and property owners have submitted this subdivision request pursuant to these provisions.
2. The lot dimensions and building setback lines for the proposed new 1.51-acre lot are consistent with the minimum dimensional requirements for new lots created within the A, Agricultural zoning district, as set forth in Table 407-1 within the UDO. There is adequate area on the newly proposed lot to allow for the construction of a single-family dwelling and the necessary septic system and drain fields to serve a new home.
3. Pursuant to the provisions of Section 31-514 of the UDO and Virginia Code Section 15.2-2244 (A), the property owners are requesting a subdivision of their property for the purpose of a gift to a member of their immediate family. Jolene Dickinson and Kenneth Dickinson are the parents of Taylor Dickinson, to whom they propose to convey the newly created parcel. Taylor Dickenson has not previously received a family subdivision parcel; therefore, they are eligible for this request.
4. The proposed plat is accompanied by separate Deed of Gift conveying fee simple title for the proposed parcel of land to Taylor Dickenson, with a restrictive covenant that prohibits the transfer of the property within ten (10) years of its receipt, in conformity with Section 31-514(d)(3) of the UDO. The deed must be executed and recorded simultaneously with the plat.
5. Pursuant to Section 31-514(d)(1) of the UDO, the property owner shall have held fee simple title to the subject property for a minimum of three (3) years prior to the filing of an application for a Family Subdivision. Jolene and Kenneth Dickinson have owned the subject property since 2017, as evidenced by a deed recorded in Instrument Number 170000968.
6. Pursuant to the provisions of Section 31-514(c)(3) of the UDO, by sworn affidavit and as stated within the covenants provided in the Deed of Gift, the recipient of the new parcel will be titled only in the name of the immediate family member for whom the subdivision is made for a period of not less than 10 years. Note that under these provisions, Taylor Dickenson, the Grantee, may hold title with their spouse during the ten year period.
7. Pursuant to Sections 31-514(c)(2) and (3) of the UDO, Jolene and Kenneth Dickeson, the Grantors, and Taylor Dickenson, the Grantee, executed a Family Subdivision Sworn Affidavit on May 4, 2026, acknowledging that the transfer of property is not for the purpose of circumventing any section or sections of the UDO, but is instead intended to provide a

separate place of residence for the grantee, exclusive of the residence of the grantors, and is intended to keep the family estate within the immediate family.

Note that the UDO contains provisions for the Director of Planning and Community Development to vacate a family subdivision plat or take other action necessary if they determine that a family subdivision has been used to circumvent the UDO.

8. Pursuant to Section 31-514(c)(5) of the UDO, each lot or parcel created by the family subdivision shall front on right-of-way or an ingress and egress easement not less than fifty (50) feet in width providing ingress and egress to the new parcels. The parcel being created does have any frontage directly on Barnes Road. This proposed family subdivision will establish a 50-foot wide ingress/egress easement from Barnes Road, located on the residual parcel, that will serve the proposed parcel as shown on the proposed plat in Exhibit "A".
9. Pursuant to Sections 31-514(c)(8) of the UDO, an approval letter from the City of Suffolk Health Department for the proposed family subdivision parcel as it relates to an on-site septic wastewater system has been provided and is attached to this report.

RECOMMENDATION

Staff finds that this request complies with the criteria for a family subdivision and the proposed parcel meets all subdivision and zoning requirements as set forth in the Unified Development Ordinance. Therefore, staff recommends **approval** of the applicant's family subdivision request, FTR2025-005, as stated in the attached resolution.

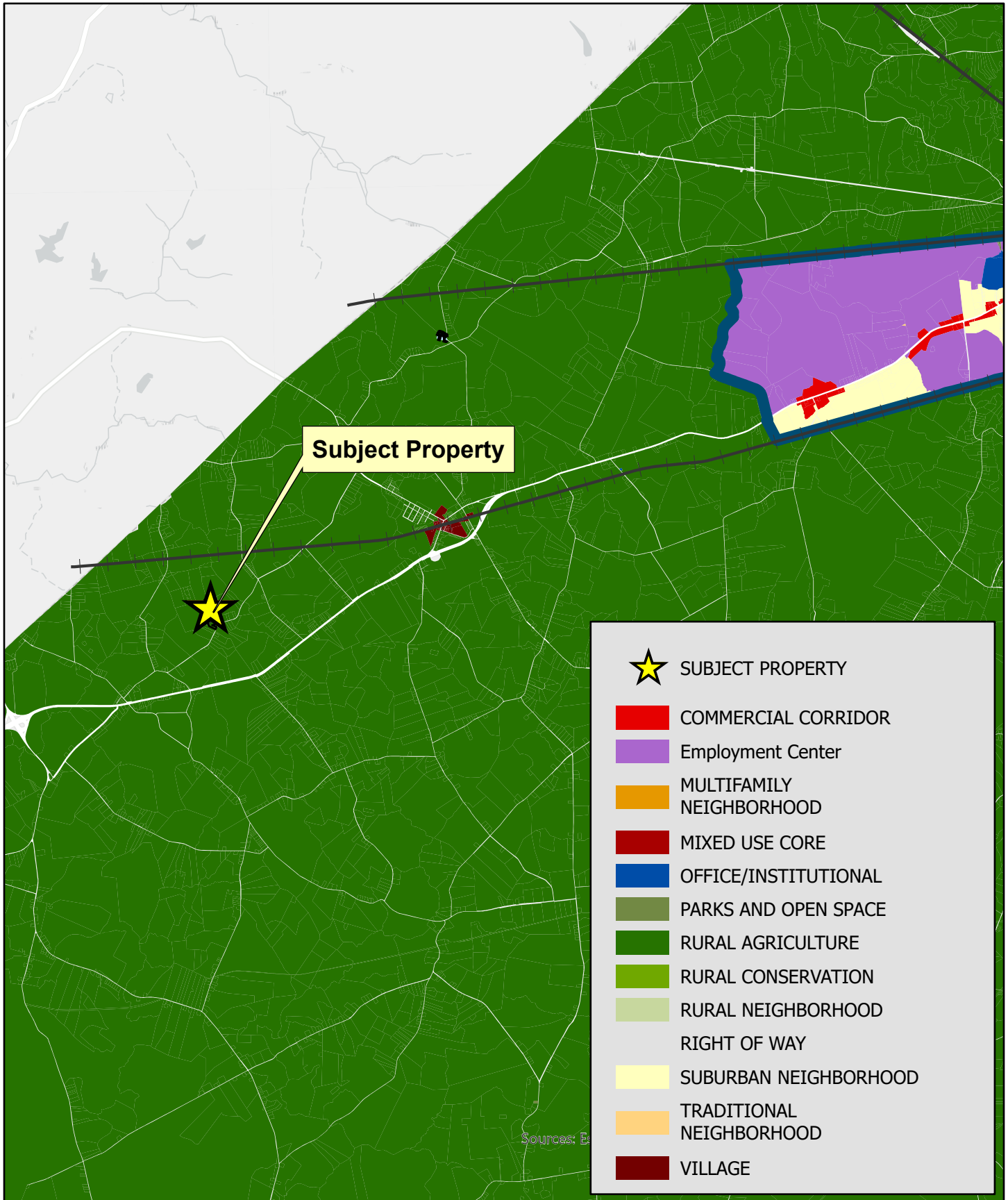
Attachments

- General Location Map
- Zoning/Land Use Map
- Family Subdivision Affidavit
- Deed of Gift
- Health Department Letter
- Proposed Resolution
- Exhibit A – Family Subdivision Plat
- Exhibit B – Property Map



GENERAL LOCATION MAP

FTR2025-00005



Author: KOSSAI
Date: 05-04-2026

0 0.75 1.5 3 4.5 6 Miles





ZONING / LAND USE MAP

FTR2025-00005

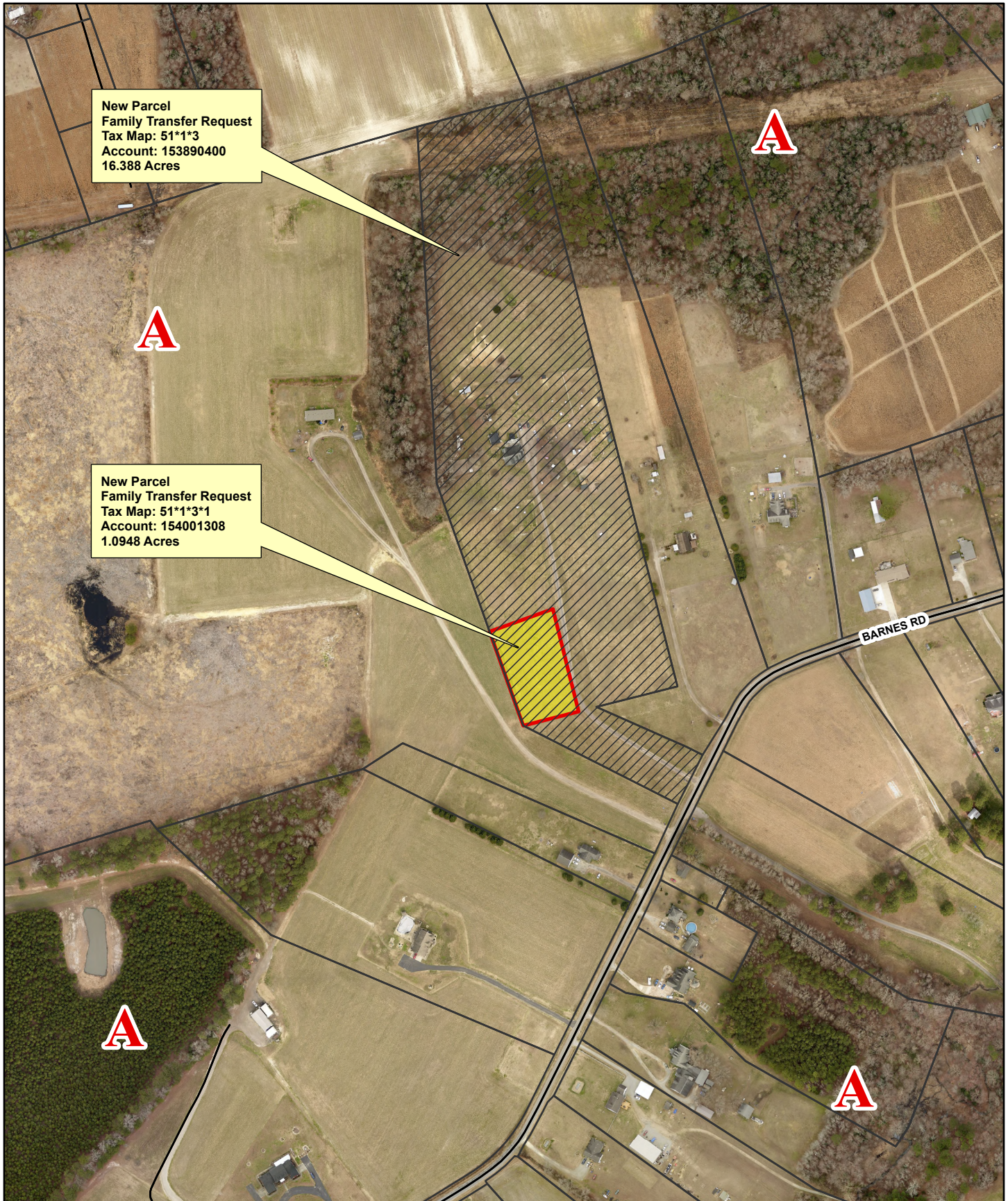
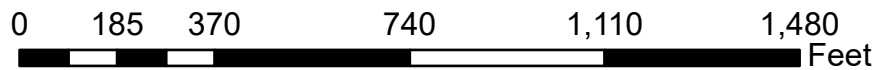


Image: Suffolk Pictometry 2021

Author: KOSSAI
Date: 05-04-2026





FAMILY TRANSFER SUBDIVISION AFFIDAVIT

We, **Jolene Dickinson** and **Kenneth Dickinson**, are the owners of a parcel of land identified on the tax records of the City of Suffolk as **Tax Map No. 50*1*3**, acquired by deed, record evidence of which appears as City of Suffolk, Instrument Number 170000968, recorded January 27, 2017, and do hereby request the division of this parcel under the provisions of Section 31-514 of the Unified Development Ordinance, as shown on a plat prepared by Tidewater Surveying Company, dated April 9, 2025.

We, **Jolene Dickinson** and **Kenneth Dickinson** (Grantors) and **Taylor Dickinson**, (Grantee), having been first duly sworn, upon oath do hereby certify that this division of land is made for the purpose of keeping the family estate within the immediate family, in conformance with Section 15.2-2244(C) of the Code of Virginia and Section 31-514 of the City of Suffolk Unified Development Ordinance, and is not for the purpose of short-term investment or for sale after division to those outside of the immediate family.

We further certify that this division is not for the purpose of circumventing any section or sections of the Unified Development Ordinance, but is instead intended to provide a separate place of residence for the Grantees exclusive of the residence of the Grantor within the boundary of the original parcel.

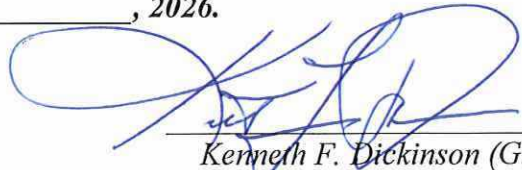
The Grantors, **Jolene Dickinson** and **Kenneth Dickinson**, are the parents of **Taylor Dickinson**, and are the current property owner of record. Further, no other conveyance has previously been made to the Grantees through a family transfer conveyance under the said Section 15.2-2244(C) nor the said Section 31-514 nor under the former Virginia Code Sections 15.1-466(G), 15.1-466(a) (12) or (13) nor any predecessor section of the Virginia Code or the City of Suffolk Unified Development Ordinance.

We understand that the shall be titled only in the name of an immediate family member for a period of no less than ten (10) years before it can be transferred by gift or sale to a nonmember of the immediate family and that the City of Suffolk will not grant building permits for development of such parcels conveyed except to a member of the immediate family for that same period.

The attached deed from the Grantor to the Grantees submitted to the City of Suffolk for a Family Transfer Subdivision under the name "**Family Subdivision of #1293 Barnes Road T.M. 50*1*3 Account Number: 153890400, Suffolk, Virginia for Kenneth F Dickinson and Jolene L Dickinson**" is a true and accurate copy of the instrument that will be duly executed and recorded at our expense by the City upon the approval of the plat by the City of Suffolk.

We understand that if the City determines that the purpose of the division was to circumvent the Subdivision Ordinance, the City may pursue all such administrative, civil, and criminal remedies available at law.

I certify that the statements made are true and sign my name under the PENALTY OF PERJURY this 4th day of May, 2026.



Kenneth F. Dickinson (Grantor)

Commonwealth of Virginia
City of Suffolk

The foregoing document was subscribed and sworn to (or affirmed) before me this 4th day of May, 2026, by Kenneth F. Dickinson.



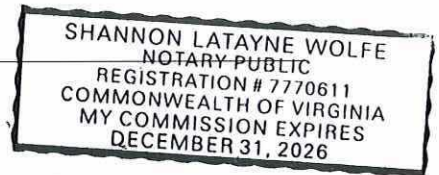
(SEAL)

Shannon Latayne Wolfe

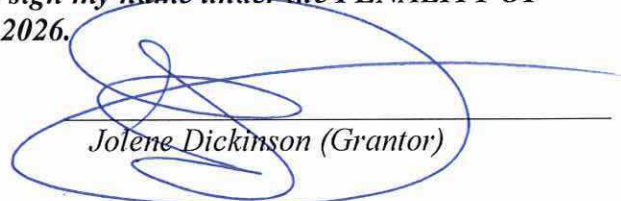
Signature of Notary

Senior Planner

Title



I certify that the statements made are true and sign my name under the PENALTY OF PERJURY this 4th day of May, 2026.



Jolene Dickinson (Grantor)

Commonwealth of Virginia
City of Suffolk

The foregoing document was subscribed and sworn to (or affirmed) before me this 4th day of May, 2026, by Jolene Dickinson.



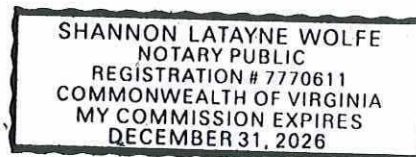
(SEAL)

Shannon Latayne Wolfe

Signature of Notary

Senior Planner

Title



I certify that the statements made are true and sign my name under the PENALTY OF PERJURY this 4th day of may, 2026.

Taylor Dickinson (Grantee)

Commonwealth of Virginia
City of Suffolk

The foregoing document was subscribed and sworn to (or affirmed) before me this 4th day of May, 2026, by Taylor Dickenson.



Shannon Latayne Wolfe
Signature of Notary

Senior Planner
Title

SHANNON LATAYNE WOLFE
NOTARY PUBLIC
REGISTRATION # 7770611
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
DECEMBER 31, 2026

Tax MAP #: 50*1*3*1
Acct: 154001308

Prepared by: Terrence K Martin, Esq.
727 J. Clyde Morris Blvd, #E
Newport News, VA 23601

Property Address: TBD

Return to: The Closers of Virginia, Inc., 714 J. Clyde Morris Blvd., Suite 155, Newport News, VA 23601

Title Insurance: N/A

**EXEMPT FROM TAX PURSUANT TO SECTION 58.1-811D OF THE CODE
OF VIRGINIA, 1950, AS AMENDED.**

THIS DEED OF GIFT made this ____ day of May, 2026, by and between **KENNETH F. DICKINSON** and **JOLENE L. DICKINSON**, hereinafter called Grantors, and **TAYLOR RENEE DICKINSON**, hereinafter called Grantee, whose mailing address is _____.

WITNESSETH: That for and in consideration of the premises herein conveyed, and other good and valuable consideration, the Grantor does hereby give, grant and convey, with **GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE** unto the Grantee, in fee simple, absolute, the following described property, to-wit:

All that certain lot, piece or parcel of land with the buildings and improvements thereon, situate, lying and being in the City of Suffolk, Virginia, Shown as Tax Map#: 50*1*3*1, Account#: 154001308, containing 1.0948 acres, as shown on a certain plat entitled, "Family Subdivision of #1293 Barnes Road T.M. 50*1*3 Account Number 153890400 Suffolk, Virginia for Kenneth F. Dickinson & Jolene L Dickinson", dated February 17, 2026 and prepared by Tidewater Surveying.

Together with a 50' ingress/egress easement for purpose of access from Barnes Road to Tax Map Parcel 50*1*3 as shown on the aforementioned plat. The fifty (50') foot easement shall provide at a minimum an all-weather surface of rock, stone, or gravel with a minimum depth of three (3) inches and a minimum width of ten (10) feet.

The deed is made subject to the easements, conditions, restrictions and reservations of record.

The Lot created by this Family Subdivision shall be titled in the name of the immediate family member for whom the subdivision is made for a period of no less than ten (10) years, unless such lot is subject to involuntary transfer such as by Foreclosure, Death, Judicial Sale, Condemnation or Bankruptcy. Any Structures erected or placed on this property conveyed by this Family Subdivision shall have the Grantee residing in said structure and shall not be leased or rented to any other individual within ten (10) years from the conveyance of the parcel by this Family Subdivision Plat.

The parties to this deed have directed the attorney drafting the deed to so draft it without having to go to the expense of having said attorney do a title examination search of the records of the Clerk of the Circuit Court of Suffolk, Virginia, and so this deed was drafted without the benefit of a title examination search.

Whenever used herein the singular shall include the plural, the plural the singular, and the use of any gender shall include all other genders.

This conveyance is made subject to the terms and conditions contained in any and all Deeds of Trust recorded against the property herein conveyed.

{SEE FOLLOWING PAGE FOR SIGNATURES}

WITNESS the following signature and seal.

Kenneth F. Dickinson

STATE OF VIRGINIA
CITY/COUNTY OF NEWPORT NEWS, to-wit:

The foregoing instrument was acknowledged before me this ____ day of May, 2026, by
Kenneth F. Dickinson

Notary Public

My Commission Expires:

Jolene L. Dickinson

STATE OF _____
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this ____ day of May, 2026, by Jolene
L. Dickinson

Notary Public

My Commission Expires:



COMMONWEALTH OF VIRGINIA
WESTERN TIDEWATER ENVIRONMENTAL HEALTH DISTRICT
SUFFOLK HEALTH DEPARTMENT

135 Hall Avenue, Suite A
SUFFOLK, VIRGINIA 23434
757-514-4751

Family Transfer Approval Recommended

April 16, 2026

Isabella Reynolds, Planner
City of Suffolk, Planning Department
P.O. Box 1858
Suffolk, Virginia 23439-1858

RE: Planning File #: FTR 2025-0005
Project Address: 1293 Barnes Road, Suffolk, VA 23437
Tax Map (Existing Lot): 50*1*3 Account Number: 153890400
Proposed Lot: 1 (+/- 1.0 acres)

The **Suffolk Health Department** received a request from you to review the proposed lot in the referred subdivision for onsite wastewater system approvals. This letter is to inform you that the above referenced subdivision plat is approved for individual onsite wastewater systems in accordance with the provisions of the Code of Virginia, the Sewage Handling and Disposal Regulations, and the Private well regulations (12VAC5-610-20 et. seq., the Regulations) (12VAC5-630-30 et. seq.,)

This request for subdivision review was submitted pursuant to the provisions of §32.163.5 of the Code of Virginia which requires the Virginia Department of Health to accept private soil evaluations and designs from a licensed Onsite Soil Evaluator (OSE) or a Professional Engineer working in consultation with an OSE for residential development. This subdivision was certified as being in compliance with the Board of Health's regulations by: **Adam Herman**. This subdivision approval is issued in reliance upon that certification.

Pursuant to §360 of the Regulations this approval is not an assurance that Sewage Disposal System Construction Permits will be issued for any lot in the subdivision identified above unless that lot is specifically identified on the above referenced plat as having an approved site for an onsite sewage disposal system, and unless all conditions and circumstances are present at the time of application for a permit as are present at the time of this approval. This subdivision may contain lots that do not have approved sites for onsite sewage systems.

If you have any questions, please feel free to contact me at 514-4758 or by email at Bethany.Kenny@vdh.virginia.gov.

Sincerely,



Bethany M. Kenny
Environmental Health Specialist, Sr.
Suffolk Health Department

Cc: Adam Herman, AOSE
Applicant- Kenneth & Jolene Dickinson

Note: If the approved sewage system sites are not shown on the recorded plat, they must be shown on a separate plat on file in the local health department. The plat showing the sewage system sites must be reconciled with the record plat.

CITY OF SUFFOLK PLANNING COMMISSION

A RESOLUTION APPROVING A FAMILY SUBDIVISION ON PROPERTY LOCATED AT 1293 BARNES ROAD, ZONING MAP 50, PARCEL 1*3, ACCOUNT NUMBER 153890400; FTR2025-005

WHEREAS, Taylor Dickinson, applicant, on behalf of Jolene Dickinson and Kenneth Dickinson, property owners, has submitted an application for a family subdivision for review pursuant to the provisions of Section 31-514 of the Unified Development Ordinance (UDO) of the City of Suffolk, which plat is attached hereto as Exhibit “A” and incorporated herein and hereafter referred to as the Plat; and

WHEREAS, this specific request is to grant permission under Section 31-514 of the Unified Development Ordinance for a transfer of property to an immediate family member to hold title to the subject property for a period of not less than 10 years from the date of recording of the Plat;

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:

__ a. Finds,

___ b. Does not find,

- (1) Granting this Family Transfer Subdivision will be for the purpose of providing separate places of residence to an immediate family member over the age of eighteen (18) years old for a period of ten (10) years;
- (2) This Family Transfer Subdivision is not created to circumvent the subdivision ordinance;
- (3) Lot dimensions and building setbacks for the lot created by this Family Transfer Subdivision will be consistent with the Agricultural Zoning District as set forth in Table 407-1 of the City of Suffolk UDO.
- (4) The proposed parcel has received Health Department approval for a septic system as noted on the plat.

- (5) The Family Subdivision Affidavit has been executed by the Grantor and the Grantees. The Deed of Gift for this Family Transfer shall be executed and recorded simultaneously with the plat.

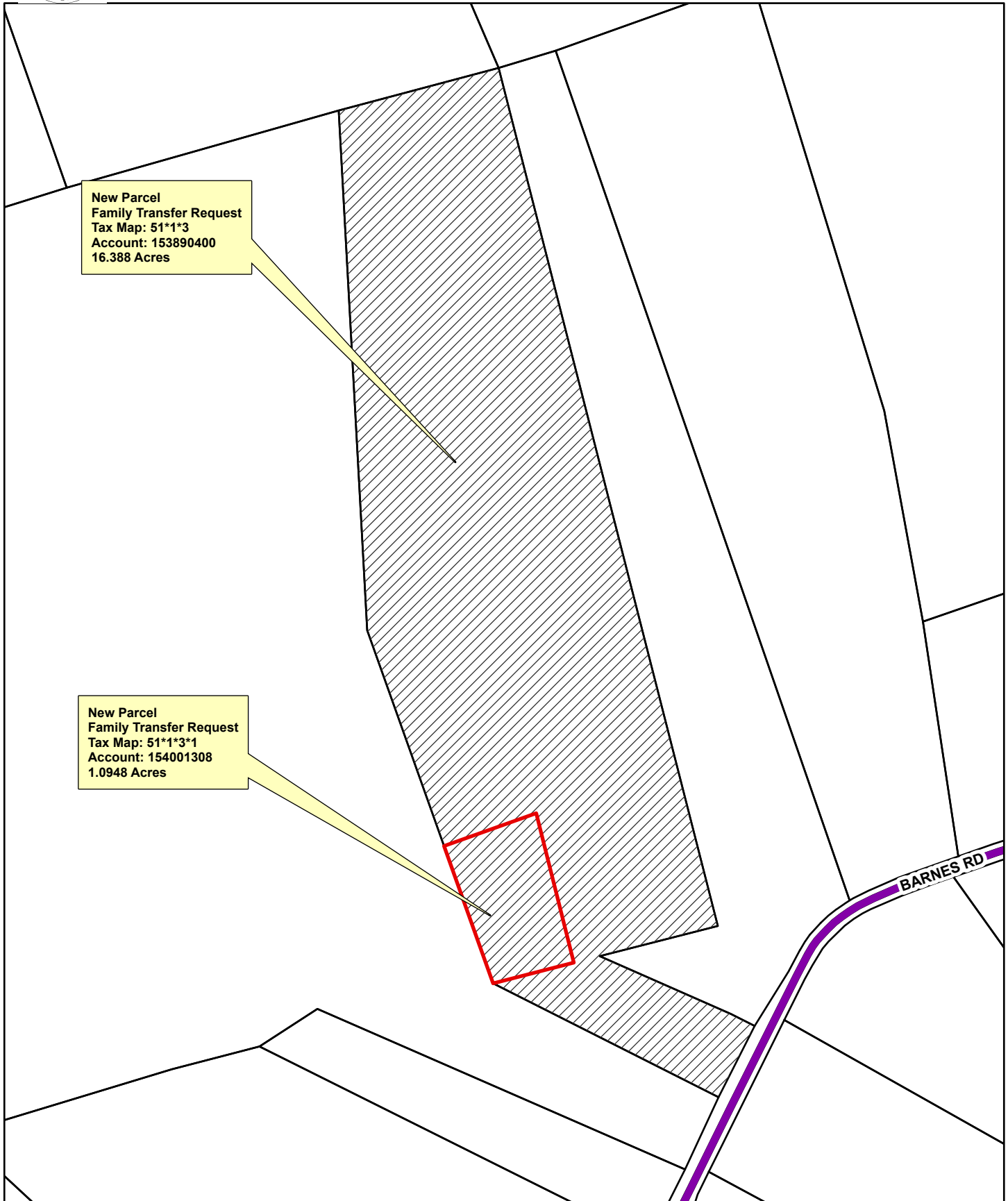
READ AND ADOPTED: _____

TESTE: _____



PROPERTY MAP FTR2025-00005

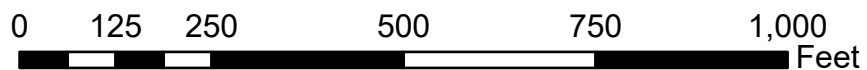
EXHIBIT B



New Parcel
Family Transfer Request
Tax Map: 51*1*3
Account: 153890400
16.388 Acres

New Parcel
Family Transfer Request
Tax Map: 51*1*3*1
Account: 154001308
1.0948 Acres

Author: KOSSAI
Date: 05-04-2026



THIS SUBDIVISION OF PROPERTY, AS IT APPEARS ON THIS PLAT, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS.

DATE: _____ OWNER: KENNETH DICKISON (JOLENE DICKISON, POA)
DATE: _____ OWNER: JOLENE DICKISON

WE, KENNETH F. DICKINSON & JOLENE L. DICKINSON, HEREBY CERTIFY THAT LOT 1 IS FOR THE PURPOSE OF SALE OR GIFT TO TAYLOR RENEE DICKINSON (DAUGHTER), WHO IS A _____ IMMEDIATE FAMILY AS DEFINED IN SECTION 15.2-2244 OF THE CODE OF VIRGINIA AS AMENDED.

STATE OF VIRGINIA, TO WIT:
CITY OF _____, TO WIT:

I, _____, A NOTARY PUBLIC IN AND FOR THE CITY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE ABOVE PERSON(S) WHOSE NAME(S) IS (ARE) SIGNED TO THE FOREGOING WRITING HAS (HAVE) ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY AND STATE AFORESAID.

GIVEN UNTO MY HAND THIS _____ DAY OF _____, 20____.
COMMISSION EXPIRES: _____, 20____.

NOTARY PUBLIC

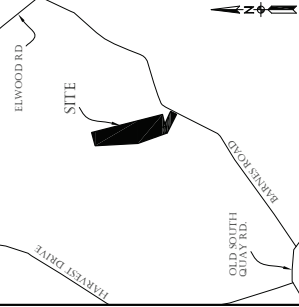
THE UNDERSIGNED CERTIFY THAT THIS SUBDIVISION, AS IT APPEARS ON THIS PLAT, CONFORMS TO THE APPLICABLE REGULATIONS RELATING TO THE SUBDIVISION OF LAND AND TO THE APPLICABLE ZONING ORDINANCES BY SUCH APPROVAL THE UNDERSIGNED DOES NOT CERTIFY AS TO THE CORRECTNESS OF THE STREETS, BOUNDARIES OR OTHER LINES, AS SHOWN ON THIS PLAT.

DATE _____ AGENT, CITY OF SUFFOLK

DATE _____ AGENT, CITY OF SUFFOLK

NOTES

- PROPERTY OWNER ADDRESS:
KENNETH F. DICKINSON
4203 BARNES ROAD
SUFFOLK, VIRGINIA 23437
PH: 860-817-3745
- 1/2" PINS=0.668 LBS./LF
5/8" PINS=1.043 LBS./LF
- THESE SHALL BE A FIVE FOOT EASEMENT ALONG ALL SIDE AND REAR PROPERTY LINES FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.
- THE PROPERTY SHOWN ON THIS PLAT APPEARS TO BE LOCATED IN FLOOD ZONE 'X' AS SHOWN ON FLOOD MAP, FEMA COMMUNITY PANEL #510156-01900; EFFECTIVE DATE: 11/16/2011.
- SUBJECT PROPERTY: TAX MAP 50*1*3. ZONED: 'A'.
SETBACKS: FRONT: 50, SIDE: 20, REAR: 30
- PROPERTY TIED TO SUFFOLK GEODETIC MONUMENT NUMBERS 308 & 311. SURVEY BASED ON VA PLANE COORDINATE SYSTEM LAMBERT PROJECTION, SOUTH ZONE.
- RECORD OF LAST CONVEYANCE FOR T.M. 50*1*3: INST. #170000988; DATED: 01-23-2017.
GRANTOR: CHARLES EDWARD HICKS. GRANTEE: KENNETH F. DICKINSON & JOLENE L. DICKINSON
- WHERE SEPTIC TANKS ARE TO BE INSTALLED, THERE MUST BE AN APPROVAL ON AN INDIVIDUAL LOT BASIS BY THE LOCAL HEALTH DEPARTMENT AT THE TIME AN APPLICATION IS MADE FOR A SEPTIC TANK PERMIT. APPROVAL OF THIS PLAT BY THE CITY OF SUFFOLK DOES NOT ASSURE THAT THE INDIVIDUAL PARCELS ARE SUITABLE FOR SEPTIC TANK SYSTEMS.
- THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A CURRENT TITLE REPORT.
- THE LOTS CREATED BY THIS FAMILY TRANSFER PLAT SHALL BE TITLED IN THE NAME OF AN IMMEDIATE FAMILY MEMBER FOR WHOM THE SUBDIVISION IS MADE FOR A PERIOD OF NO LESS THAN TEN (10) YEARS UNLESS SUCH LOTS ARE SUBJECT TO INVOLUNTARY TRANSFER SUCH AS BY FORECLOSURE, DEATH, JUDICIAL SALE, CONDEMNATION OR BANKRUPTCY.
- THE FIFTY FOOT INGRESS & EGRESS EASEMENT SHALL PROVIDE AT A MINIMUM: AN ALL WEATHER SURFACE OF ROCK, STONE OR GRAVEL WITH A MINIMUM DEPTH OF 3 INCHES AND A MINIMUM WIDTH OF 10 FEET.
- PARCELS PERTAINING TO THIS PLAT HAVE NO ACCESS TO PUBLIC WATER AND SEWER.
- THIS PROPERTY IS LOCATED OUTSIDE THE CHESAPEAKE BAY PRESERVATION OVERLAY DISTRICT.



AREA TABLE

ORIGINAL AREA T.M. 50*1*3	= 17.7337 AC.
ACCT: 153890400	
LESS AREA TO T.M. 50*1*3*1	= 1.0948 AC.
ACCT: 154001308	
RESIDUE T.M. 50*1*3	= 16.6389 AC.
THERE ARE NO CRITICAL AREAS	

LEGEND

- = IRON PIN SET-5/8"x24" (DRIVEN FLUSH)
- = IRON PIN FOUND

FAMILY SUBDIVISION

OF
#1293 BARNES ROAD
T.M. 50*1*3
ACCOUNT NUMBER: 153890400
SUFFOLK, VIRGINIA
HOLY NECK BOROUGH

KENNETH F. DICKINSON
& JOLENE L. DICKINSON

SCALE: 1"=100' FEBRUARY 17, 2026
100' 0' 50' 100' 200'
SCALES IN FEET
1" = 100'

TRIPWATER SURVEYING
4908 FENNEL LANE
SUFFOLK, VIRGINIA 23435
PH: (757) 335-7181
www.TSsurvey.com

I HEREBY CERTIFY THAT THIS SUBDIVISION WAS MADE BY ME AT THE DIRECTION OF THE OWNER AND THAT STEEP PINS, SHOWN ON THIS PLAT BY SMALL CIRCLES, HAVE ACTUALLY BEEN PLACED AND THEIR LOCATIONS CORRECTLY SHOWN.
THIS PLAT MEETS THE STANDARDS FOR PLATS AS ADOPTED UNDER VIRGINIA CODE SECTION 42.1-82 OF THE VIRGINIA PUBLIC RECORDS ACT (SECTION 42.1-76 ET SEQ.).



Job # Drawn Street
25-01-38 Rmd 18x24



T.M. 39*26
ARCHER, CHARLES
ACCT: 152030000
ZONE: A
USE: VACANT
INST: 200007748

T.M. 50*14
DEBORAH C BOLTZ
ACCT: 180001590
ZONE: A
USE: RESIDENTIAL
INST: 180001594

T.M. 50*13
KENNETH F DICKINSON
JOLENE L DICKINSON
ACCT: 153890400
INST: 170000968
ZONE: A
USE: RESIDENTIAL

T.M. 50*2
MARTIN L LANE
ACCT: 15181000
ZONE: A
USE: RESIDENTIAL
INST: 00829300

BARNES ROAD
50' R/W

N75°05'48"E 310.64'

100' VA POWER EASEMENT
(D.B. 108 Pg. 40 P.B. 3 Pg. 28)

C/L SMALL STREAM

EX-TREELINE

RESIDUE PARCEL

EX-OUTBUILDINGS

EX-OUTBUILDINGS

EX-DRAINFIELD

EX-DRAINFIELD

EX-DRAINFIELD

EX-DRAINFIELD

EX-DRAINFIELD

EX-DRAINFIELD

EX-DRAINFIELD

T.M. 38*9
WALDEN FRANK L
ACCT: 15327100
ZONE: A
USE: VACANT
INST: 210000764

T.M. 50*12
COLEMAN, MARIAN S
ACCT: 153890300
ZONE: A
USE: RESIDENTIAL
INST: 00081570

PROPOSED
T.M. 50*13*1
TAYLOR, L DICKINSON
ACCT: 154001308
INST: 170000968
ZONE: A
USE: RESIDENTIAL

FAMILY SUBDIVISION OF

#1293 BARNES ROAD
T.M. 50*13
ACCOUNT NUMBER: 153890400
SUFFOLK COUNTY, VIRGINIA
HOLY HOCK BOROUGH

FOR
KENNETH F DICKINSON
& JOLENE L DICKINSON

SCALE: 1" = 100'
0 50 100 200
100'



TIDEWATER SURVEYING
4908 FENNELL LANE
SUFFOLK, VIRGINIA 23435
PH: (757) 335-7181
www.TSsurvey.com

Job # 25-07-38
Drawn Street
Rmd 18x24



CITY OF SUFFOLK

442 W. WASHINGTON STREET, P.O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4060 FAX: (757) 514-4099

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT
Division of Planning

May 21, 2026

Suffolk Planning Commission
City of Suffolk, Virginia

Dear Commissioners:

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.

Information and maps pertaining to this request are attached for your consideration. Please contact either myself or Isabella Reynolds, the staff planner handling this case, if you have any questions in advance of the meeting.

Respectfully submitted,

Kevin Wyne, AICP
Director of Planning & Community Development

Attachments

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 15t, 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 that the Planning Commission forward Rezoning Request RZN2025-010 (Conditional) to City Council with a recommendation of **approval**, subject to proffered conditions, in conjunction with Conditional Use Permit request CUP2025-021.

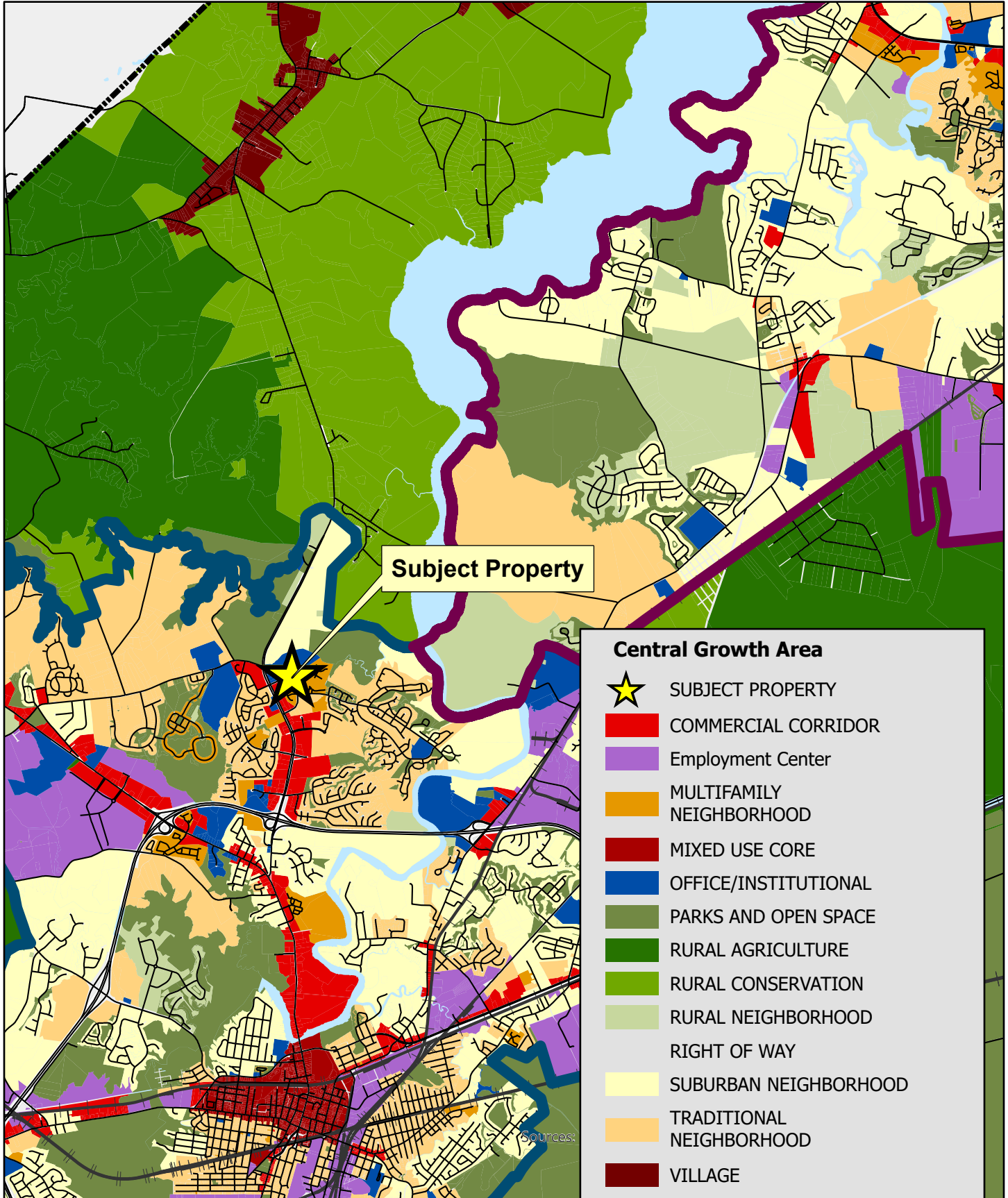
Attachments

- 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

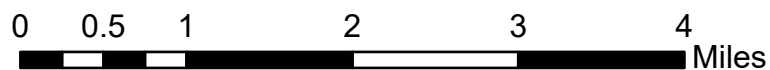


GENERAL LOCATION MAP

RZN2025-00010



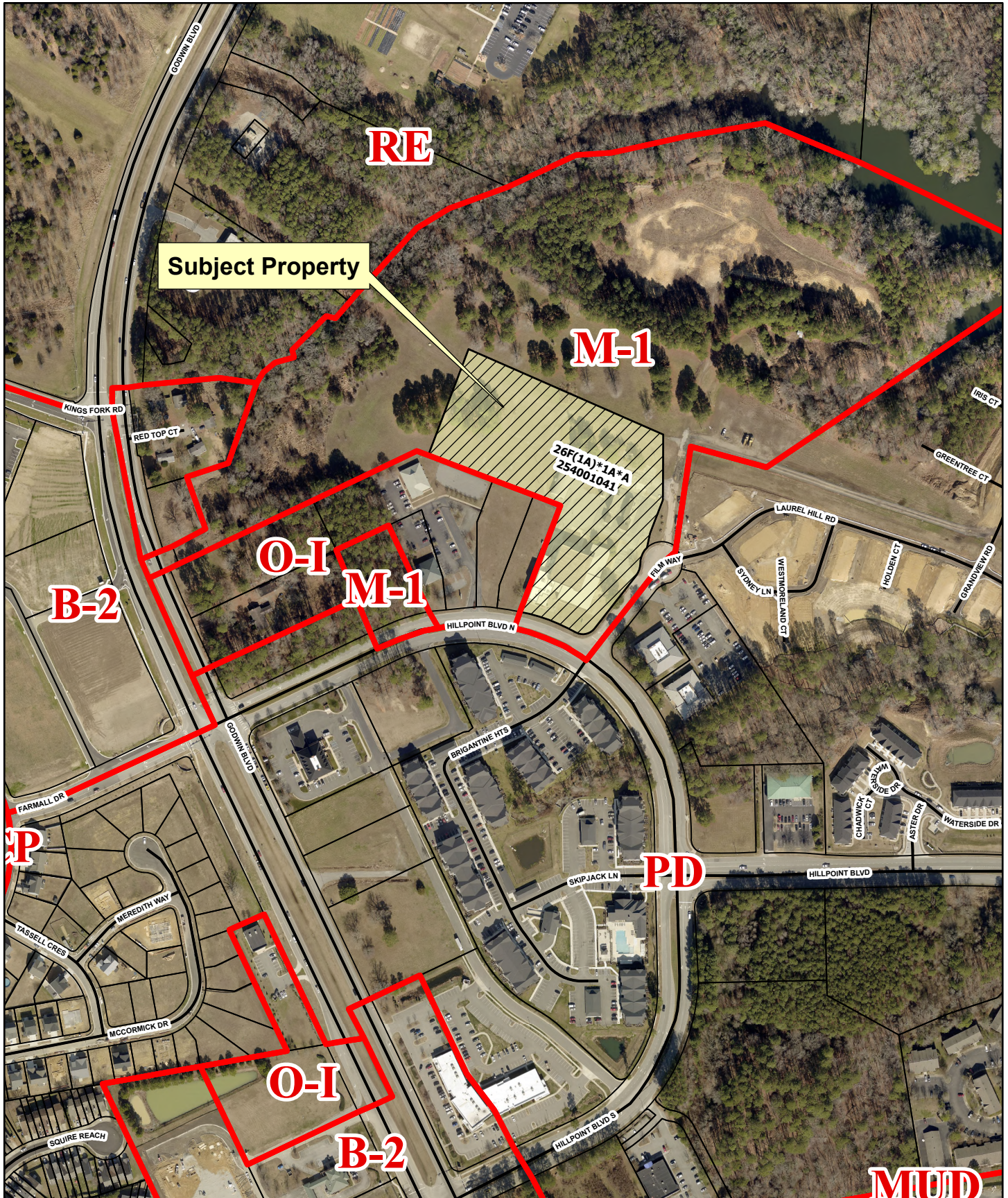
Author: KOSSAI
Date: 12-31-2025





ZONING / LAND USE MAP

RZN2025-00010



Author: KOSSAI
Date: 12-31-2025

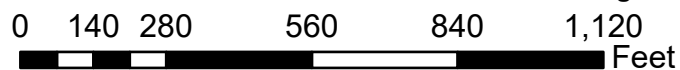


Image: Suffolk Pictometry 2024



This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



1000 FILM WAY PRELIMINARY SITE PLAN
SUFFOLK, VIRGINIA
MARCH 2026

SITE DATA:

TAX MAP #: 26F(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): 137 SPACES
TOTAL PROVIDED PARKING: 62 SPACES

No.	REVISIONS	DATE	BY

Kimley»Horn

4525 MAIN STREET, SUITE 1000, VIRGINIA BEACH, VA 23462
PHONE: 757-213-8600 FAX: 757-213-8601
WWW.KIMLEY-HORN.COM

KHA PROJECT	116706000
DATE	3/24/2026
SCALE	AS SHOWN
DESIGNED BY	IGH
DRAWN BY	PJM
CHECKED BY	IGH

PRELIMINARY SITE PLAN- NO DISTURBANCE

REZONING PACKAGE PREPARED FOR MOUNT LEBANON MISSIONARY BAPTIST CHURCH

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



OFFICE INFORMATION: To be completed by staff

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:

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"/>	KELVIN REED
Real Estate Broker/Agent/Realtor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Accounting/Tax Preparation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Barnes Design Group
Architect/Designer/Landscape Architect/Land Planner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Construction Contractor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Kimley Horn
Engineer/Surveyor/Agent	<input checked="" type="checkbox"/>	<input type="checkbox"/>	GRADY A. PALMER, ESQ.
Legal Services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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 (select one)	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"/>	WILLIAMS MULLEN /SPRINGER & CROSS LAW GROUP

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.

Applicant Name (Print)

Applicant Signature

Date

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.

Property Owner Name (Print)

Property Owner Signature

Date

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 BAPSTIST 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.</p> <p>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 BAPSTIST 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	<p>Dear Members of the Planning Commission,</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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</p>

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 NO.

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; RZN2025-00010 (CONDITIONAL)

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 INSTITUTIONAL (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.

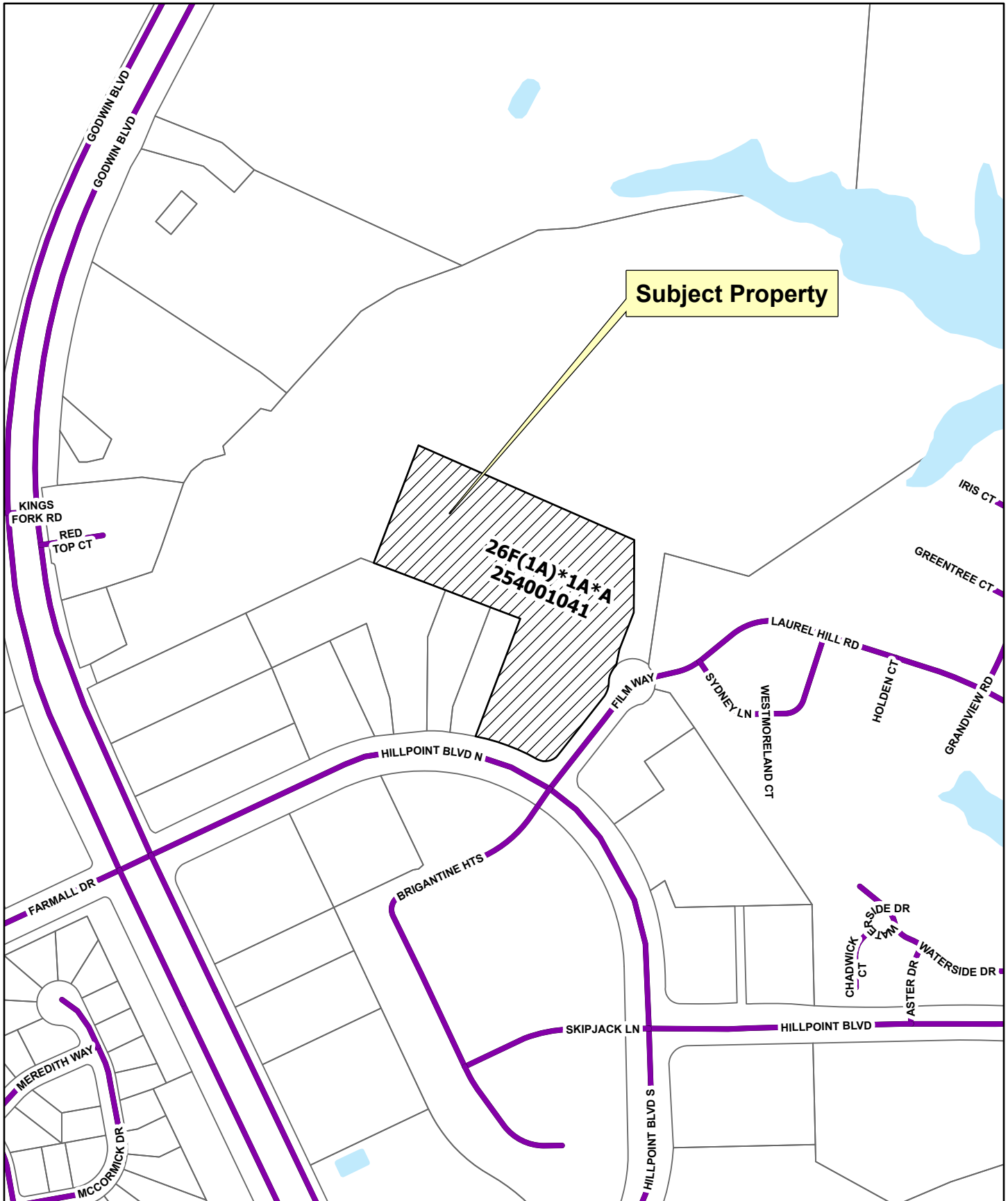
READ AND PASSED: _____

TESTE: _____

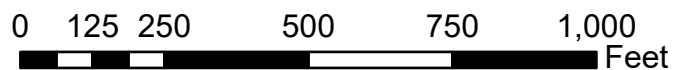


PROPERTY MAP RZN2025-00010

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) 2 5 4 0 0 1 0 4 1 _____.

- 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: 3-13-20

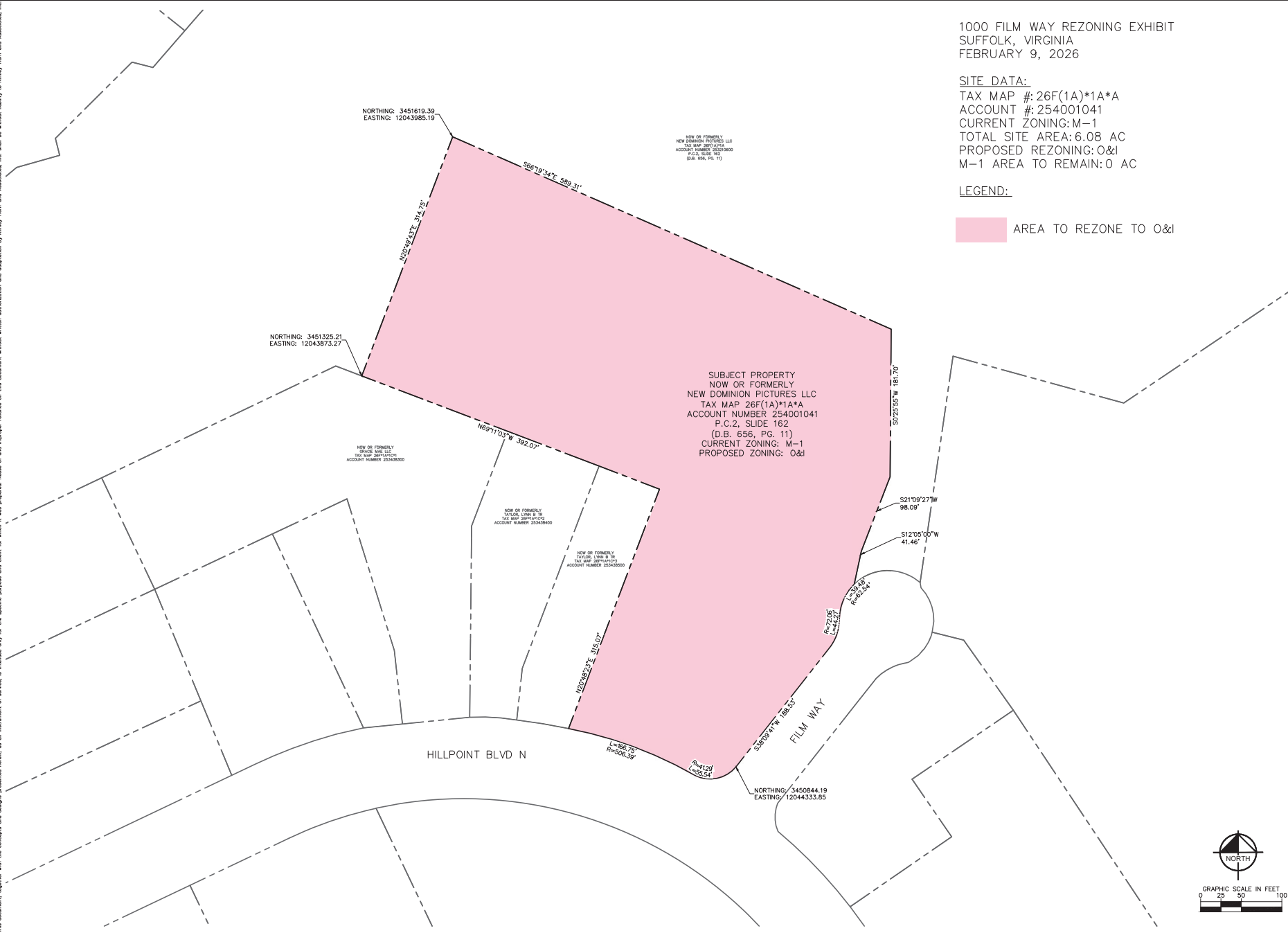
Property Owner Signature: 

Date: 03/13/2020

Property Owner Signature: _____

Date: _____

Kimley-Horn and Associates, Inc. 2500 North 15th Street, Suite 100, Norfolk, VA 23502-4433
 This document is the property of Kimley-Horn and Associates, Inc. and is loaned to the client for their use only. It is not to be distributed, copied, or otherwise used without the written authorization and approval of Kimley-Horn and Associates, Inc.



1000 FILM WAY REZONING EXHIBIT
 SUFFOLK, VIRGINIA
 FEBRUARY 9, 2026

SITE DATA:
 TAX MAP #: 26F(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

LEGEND:
 AREA TO REZONE TO O&I

REZONING PACKAGE PREPARED FOR MOUNT LEBANON MISSIONARY BAPTIST CHURCH SUFFOLK VA	REZONING SITE EXHIBIT	Kimley-Horn <small>© 2026 KIMLEY-HORN AND ASSOCIATES, INC. 4525 MAIN STREET, SUITE 1000, VIRGINIA BEACH, VA 23462 PHONE: 757-433-7100 WWW.KIMLEY-HORN.COM</small>	No. _____ REVISIONS DATE BY
	KHA PROJECT LT# DATE 2/09/2026 SCALE AS SHOWN DESIGNED BY JHM DRAWN BY JHM CHECKED BY JHM		
SHEET NUMBER EX 1			



DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT
Division of Planning

CITY OF SUFFOLK

442 W. WASHINGTON STREET, P.O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4060 FAX: (757) 514-4099

May 21, 2026

Suffolk Planning Commission
City of Suffolk, Virginia

Dear Commissioners:

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, 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 (Conditional) Zoning District. The 2045 Comprehensive Plan designates this area as part of the Central Growth Area, Office/Institutional Land Use Type.

Information and maps pertaining to this request are attached for your consideration. Please contact either myself or Isabella Reynolds, the staff planner handling this case, if you have any questions in advance of the meeting.

Respectfully submitted,

Kevin Wyne, AICP
Director of Planning & Community Development

Attachments

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.

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 the Planning Commission forward Conditional Use Permit request CUP2025-021 to City Council with a recommendation of **approval**, 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.

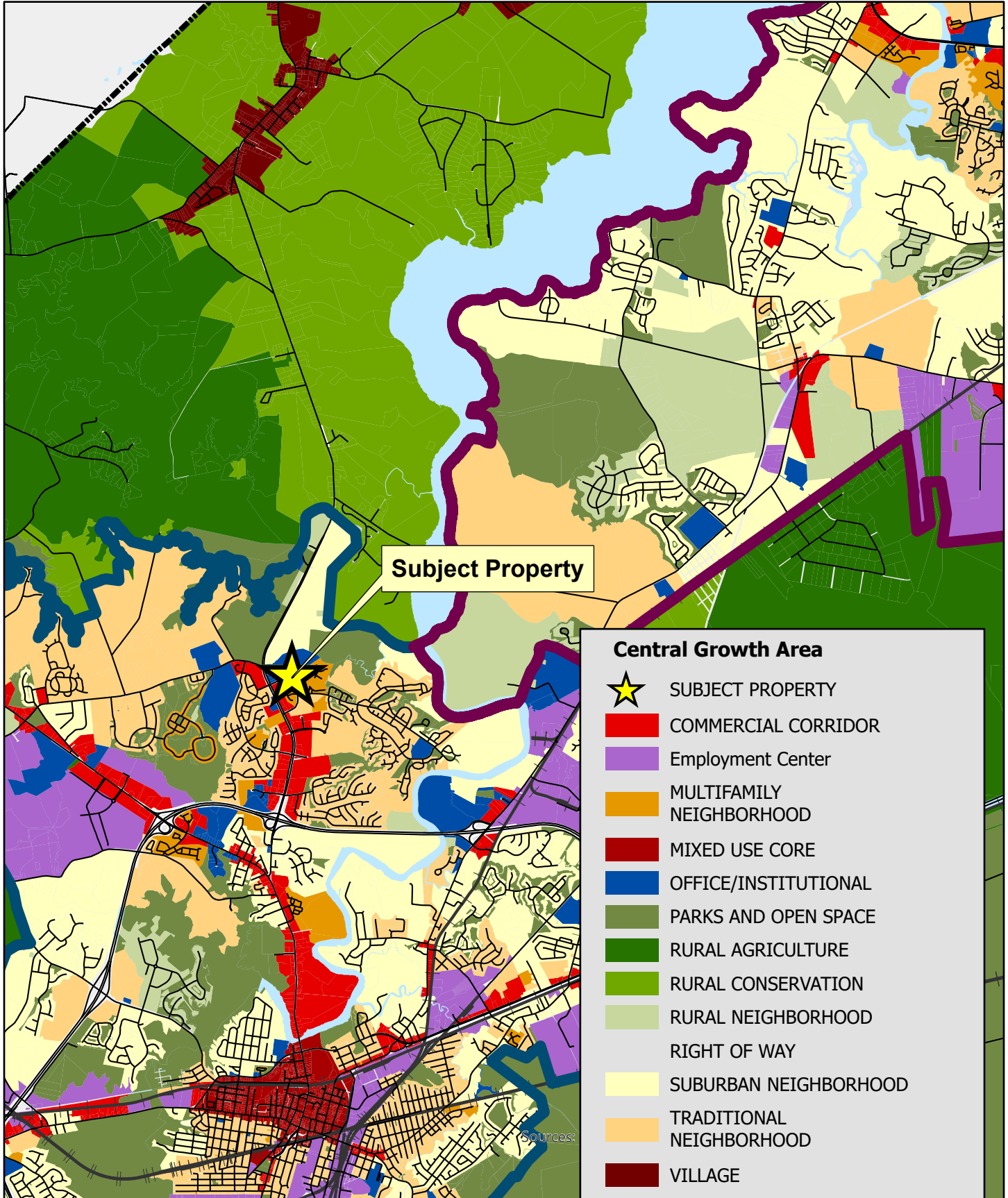
Attachments

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

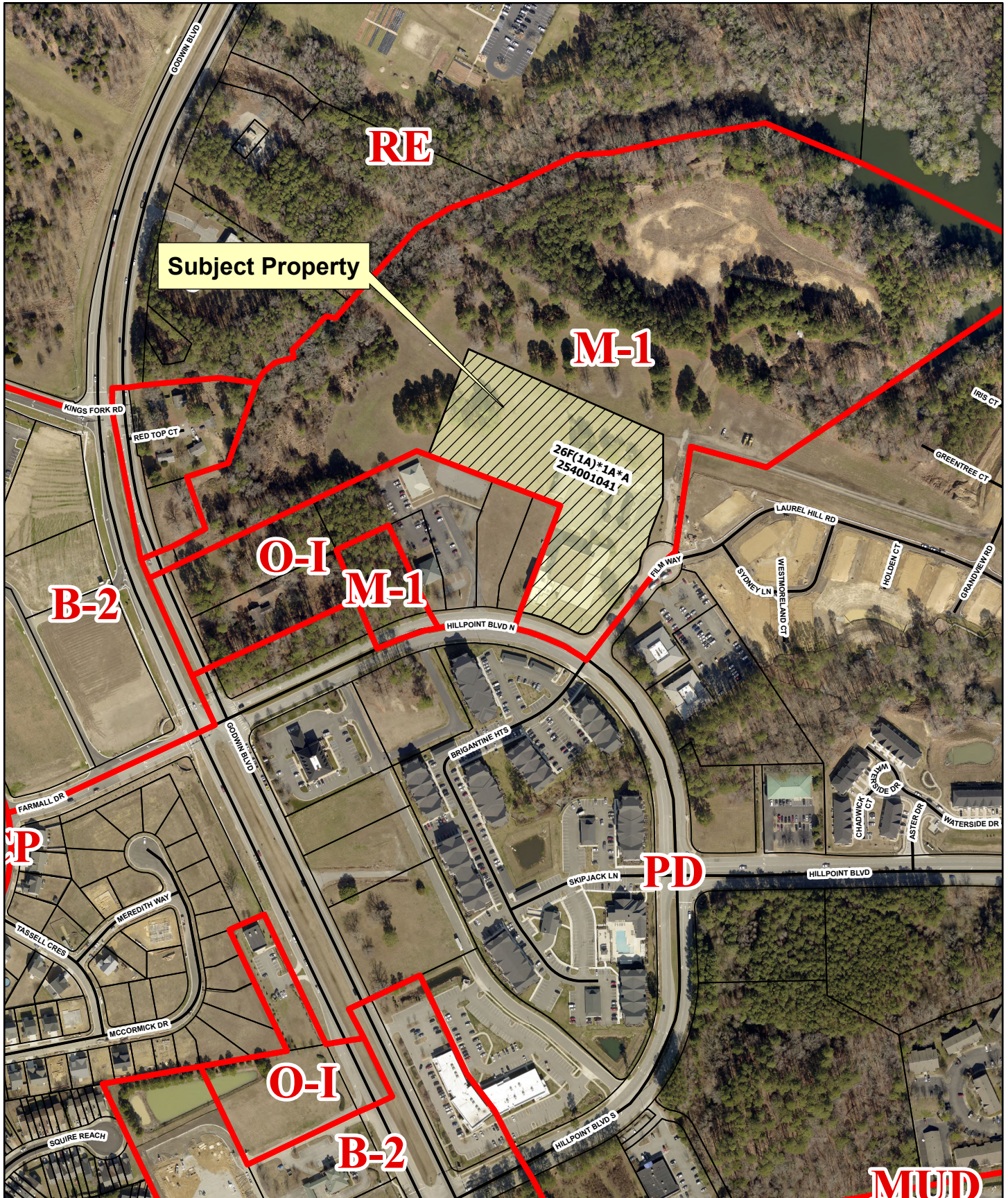
0 0.5 1 2 3 4 Miles





ZONING / LAND USE MAP

CUP2025-00021



Author: KOSSAI
Date: 12-31-2025

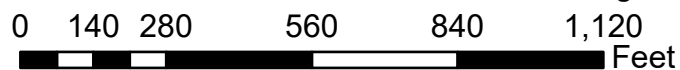


Image: Suffolk Pictometry 2024



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



OFFICE INFORMATION: To be completed by staff			
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:

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

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 (Name of entity and/or individual)
	(select one)		
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"/>	WILLIAMS MULLEN /SPRINGER & CROSS LAW GROUP

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.

Applicant Name (Print)

Applicant Signature

Date

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.

Property Owner Name (Print)

Property Owner Signature

Date

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 CUP2025-021, MOUNT LEBANON MISSIONARY BAPSTIST 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 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.</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 BAPSTIST 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	<p>Dear Members of the Planning Commission,</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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</p>
---------	--

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 BAPSTIST 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 SQAURE 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 15.2-220 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 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” use, 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: _____

TESTE: _____

CONDITIONAL USE PERMIT

CUP2025-021

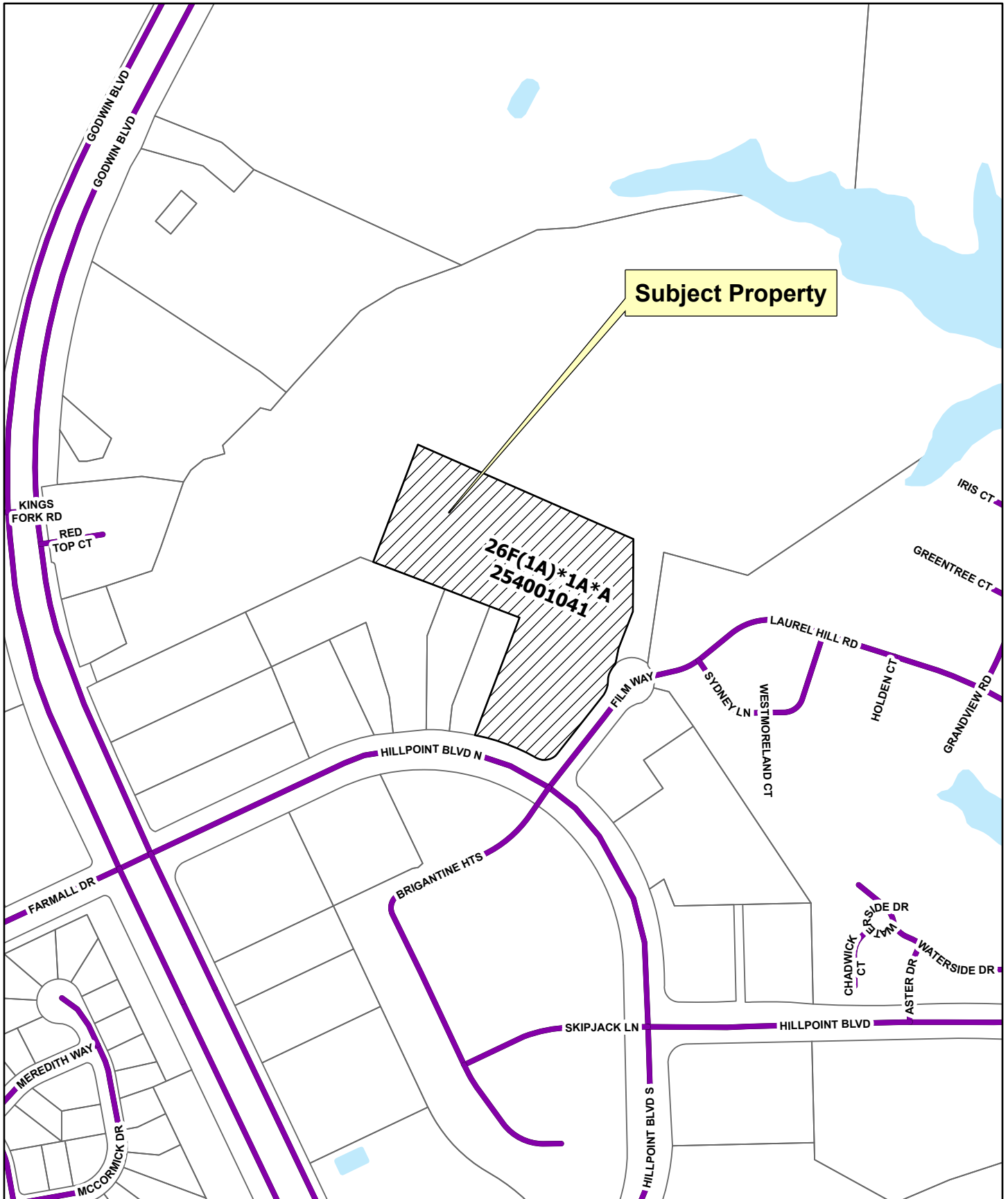
CONDITIONS

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.

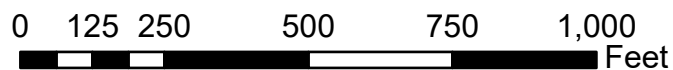


PROPERTY MAP CUP2025-00021

EXHIBIT B



Author: KOSSAI
Date: 12-31-2025



This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

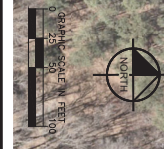


1000 FILM WAY PRELIMINARY SITE PLAN
 SUFFOLK, VIRGINIA
 MARCH 2026

SITE DATA:
 TAX MAP #: 26F(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



CONDITIONAL USE PERMIT PACKAGE
 PREPARED FOR MOUNT LEBANON MISSIONARY BAPTIST CHURCH

SHEET NUMBER EX 1

PRELIMINARY SITE PLAN- NO DISTURBANCE

KHA PROJECT 116706000
 DATE 3/25/2026
 SCALE AS SHOWN
 DESIGNED BY IGH
 DRAWN BY PJM
 CHECKED BY IGH

Kimley»Horn
 4525 MAIN STREET, SUITE 1000, VIRGINIA BEACH, VA 23462
 PHONE: 757-213-8600 FAX: 757-213-8601
 WWW.KIMLEY-HORN.COM

No.	REVISIONS	DATE	BY



CITY OF SUFFOLK

442 W. WASHINGTON STREET, P.O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4060 FAX: (757) 514-4099

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT
Division of Planning

May 21, 2026

Suffolk Planning Commission
City of Suffolk, Virginia

Dear Commissioners:

Attached for your consideration is information pertaining to Conditional Use Permit Request CUP2026-010, submitted by Rebekah and Thad Faulkner, applicants and property owners, in accordance with Sections 31-306, 31-406, and 31-701 of the Unified Development Ordinance, to grant a Conditional Use Permit to establish a day care (family day home, 5-12 children) at 113 Mallard Drive at a parcel identified as Zoning Map 25E(3B), Parcel 1. The affected area is further identified as being located in the Chuckatuck Voting Borough, zoned RC, Residential Compact Zoning District. The 2045 Comprehensive Plan designates this area within the Central Growth Area, Traditional Neighborhood Land Use Type.

Information and maps pertaining to this request are attached for your consideration. Please contact either myself or Caitlin Aubut, the staff planner handling this case, if you have any questions in advance of the meeting.

Respectfully submitted,

Kevin Wyne, AICP
Director of Planning & Community Development

Attachments

STAFF REPORT

DESCRIPTION

CONDITIONAL USE PERMIT REQUEST: Conditional Use Permit request, CUP2026-010, in accordance with Sections 31-306, 31-406, and 31-701 of the Unified Development Ordinance, to establish a family day home for up to 12 children.

APPLICANT: Submitted by Rebekah and Thad Faulkner, applicants and property owners.

LOCATION: The subject property is located at 113 Mallard Drive, further identified as Zoning Map 25E(3B), Parcel 1. This parcel is within the Burnetts Mill residential subdivision.

PRESENT ZONING: The subject property (T.M. 25E(3B)*1) is zoned RC, Residential Compact zoning district.

EXISTING LAND USE: T.M. 25E(3B)*1 is a 0.18-acre parcel developed with one single-family detached dwelling approximately 1,894 square feet in size.

PROPOSED LAND USE: The applicant currently operates a family day home for a maximum of four children within the existing single-family home, which is permitted as a matter of right. The applicant seeks to expand their home daycare operation to include up to 12 children, which necessitates approval of a Conditional Use Permit.

SURROUNDING LAND USES:

- North: Single-family detached homes within Burnetts Mill zoned RC, Residential Compact zoning district.
- South: Mallard Drive and single-family detached homes in Burnetts Mill zoned RC, Residential Compact zoning district, with single family detached homes in the Applewood subdivision beyond zoned RM, Residential Medium-Density zoning district.
- East: Single family homes and Teal Court within Burnetts Mill zoned RC, Residential Compact zoning district.
- West: Widgeon Court and single-family detached homes within Burnetts Mill zoned RC, Residential Compact zoning district.

COMPREHENSIVE PLAN: The City's 2045 Comprehensive Plan designates this area as within the Central Growth Area, Traditional Neighborhood Land Use Type.

CHESAPEAKE BAY PRESERVATION AREA DESIGNATION: The subject parcel is located within the City's Chesapeake Bay Preservation Area Overlay District (CBPA) and is designated as a Resource Management Area (RMA).

FLOOD PLAIN: The subject parcel is within Flood Zone X (areas of minimal risk) as shown on Flood Insurance Rate Map (FIRM) Panel No. 5101560114E 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.

CASE HISTORY: The applicant currently operates a family day home for up to four children, under the age of five, within the single-family home on the property. The applicant desires to expand the operation to accommodate up to 12 children, aged six weeks to 9 years, which requires the approval of a Conditional Use Permit.

STAFF ANALYSIS

ISSUE

The applicant currently operates a family day home for four children within their 1,894 square-foot single-family home located at 113 Mallard Drive. The applicant desires to expand their daycare operation to accommodate up to 12 children, with daytime care hours from 6:00 AM to 7:00 PM. In-home daycare for up to four children – exclusive of the provider’s own children and any children who reside in the home as residential occupancy by a single family – is permitted as a matter of right. The expansion of the family day home operation as proposed by the applicant and thus requires the applicant to obtain a Conditional Use Permit (CUP). In support of their request, the applicant has submitted an attached floor plan, site photos, sketch plan of the outdoor play area and parking, and a narrative describing the current operation of the family day home, proposed expansion, and proposed care operations.

CONSIDERATIONS AND CONCLUSIONS

1. Sections 31-306 and 31-406 of the Unified Development Ordinance (UDO) require a Conditional Use Permit (CUP) to be obtained for a daycare (family day home) for 5-12 children proposed within the RC, Residential Compact zoning district.
2. Section 31-701(b)(18) of the UDO establishes supplemental use regulations for family day homes providing care for 5-12 children (under the age of 13) in accordance with state law. These standards are intended to operate in tandem with the regulatory requirements of the Virginia Department of Education, which is the state-level licensing authority for childcare operations in the Commonwealth. The proposed home daycare’s compliance with these supplemental regulations is further detailed below:
 - *Hours of Operation:* The supplemental regulations state that family day homes shall operate between the hours of 6:00 AM and 8:00 PM. In the applicant’s narrative, they state their hours of operation for daytime care will be between 6:00 AM and 7:00 PM. These hours of operation conform with the regulations, and a condition of approval is proposed to ensure compliance.
 - *Indoor Space and Play Area:* Family day homes must provide 35 square feet of open indoor space, or 50 square feet of indoor space with furniture, per child in care. This standard is derived from standard recommendations provided by the American Academy of Pediatrics and the American Public Health Association. The applicant proposes to utilize 1,020 square feet of their 1,894 square foot home for the care of up to 12 children

as depicted on the floor plan attached as “Exhibit C”, and has provided pictures (attached) of the some of the various areas. The proposal meets the indoor space requirements of UDO.

Additionally, the applicant’s sketch plan, attached as “Exhibit D”, depicts a 2,032 square-foot outdoor play area within the rear yard of the subject property. The applicant has also provided photos, attached to this report, showing outdoor play toys, a playset, a picnic table, and safety gates within the play area. For family day homes, the UDO requires an outdoor play area of at least 1,000 square feet to be enclosed by a fence and located in such a way to provide “maximum peace and tranquility to adjoining residential uses and to protect the safety of the children”. The applicant’s photos depict a solid wooden fence enclosing the entirety of the rear yard/play area and complies with the requirements of the UDO.

- *Traffic and Parking:* The applicant’s property is located along Mallard Drive within Burnetts Mill. Mallard Drive is classified as a local road with lower daily traffic volumes. Per VDOT traffic counts (of which the most recent were collected in 2002 for this road), Mallard Drive average 40 trips per day. The supplemental regulations state that traffic generated by the family day home may not exceed 24 trips per day (note that a “trip” includes a vehicle arriving and leaving). The ITE (Institute of Transportation Engineers) Trip Generation manual (11th edition) does not provide trip generation rates for home-based daycares but does provide rates for a typical 12-student daycare center, which can be expected to generate 11.7 vehicle trips in the AM peak hour and 11.8 trips in the PM peak hour. These figures support the daily maximum of 24 round-trips permitted for family day homes. Given the home daycare, if approved, will be limited to a maximum of 12 children at any time, average daily trips are not anticipated to exceed the maximum, accounting for parent drop-off and pick-up. While the number of trips on Mallard Drive is quite low, the applicant has noted in their narrative that parent drop-off and pick-up times will be staggered, which will help prevent congestion on this residential street. Given the proposed use is a low traffic generator and the property is located along a 40-foot wide improved public right of way, a traffic impact report was waived for this application. The Department of Public Works’ Traffic Engineering Division has reviewed the CUP request and has presented no concerns at the time of this report.

The regulations within the UDO also contain parking requirements for family day homes. One parking space, plus one parking space per employee for the family day home, is required in addition to the two parking spaces required for the single-family residential use. The parking spaces associated with the family day home use may be off-street or on-street where permitted within 200 feet of the property. The subject property is served by an approximately 18-foot by 18-foot driveway, which the applicant has designated as off-street parking for two vehicles. The applicant also provides three on-street parallel parking spaces along the east side of Mallard Drive, as generally depicted in the applicant’s sketch plan attached as “Exhibit C”. The provided parking spaces comply with the supplemental use regulations in regards to quantity and distance, and a condition of approval has been proposed to ensure and maintain the provision of the parking spaces.

- *Licensure:* All family day homes providing care for more than four children require a

mandatory license issued by the Virginia Department of Education in accordance with 8VAC20-800. The applicant currently has a voluntary state license for the current operation involving the care of up to four children. If this CUP request is approved, then the applicant will be required to obtain an updated license from the Department of Education for the care of up to 12 children and provide said license to the City. As part of their updated licensure through the state, they applicant must also comply with any increased caregiver staffing requirements to maintain the required children/provider ratio (the current four-child family day home the applicant operates is staffed by the applicant). The staffing ratio is dependent on the number (and age) of children in care at any one time, and thus can be variable. The most intense ratio is for infants six weeks to 16 months of age, which requires one caregiver per four infants. Given the applicant's maximum permitted number of children in care could be 12 if the application is approved, and assuming all children in care are infants up to 16 months in age, this would result in a staff of three caregivers. As noted below, the property has adequate parking to accommodate any additional staff. As has been the practice with other home-based daycares, staff has proposed a condition of approval requiring the applicant to comply with state and local licensing and permitting regulations, which includes appropriate staffing ratios.

3. The family day home will not prepare regular meals to children in care, as parents will be responsible for providing meals for their children. However, the applicant will occasionally utilize the kitchen for the family day home operation. Note that the Health Department does not regulate family day homes with 12 or fewer children as "food establishments", and this application does not fall within their purview.
4. There is no increase in impervious surfaces associated with this request, therefore, the Department of Public Work's Engineering Division has not expressed any concerns at this time.
5. An Environmental Site Assessment (ESA) was waived for this request. The Department of Public Works' Engineering Division has reviewed the CUP request and expressed no concerns at the time of this report.
6. The subject property is served by both public water and sewer service. The applicant is not proposing any new plumbing fixtures within the home as part of this request, and thus no increased demand resulting from the family day home is anticipated. The Department of Public Utilities has not expressed any concerns regarding the proposed CUP request at the time of this report.
7. Pursuant to Section 31-306 of the UDO, a CUP 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 as a matter of right. Rather, such uses are permitted through the approval of a CUP by City Council when the right set of circumstances and conditions are found acceptable. Section 31-306(c) specifically establishes eight criteria that should be satisfied for approval. The proposed family day home for up to 12 children meets these requirements as follows:
 - 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.

A daycare (family day home, 5-12 children) is a listed conditional use in the RC, Residential Compact zoning district. Supplemental use regulations for family day homes are listed in Article 7, Section 31-701(b)(18) of the UDO. Staff has reviewed the submitted floor plan, narrative, sketch plan, and photos against supplemental standards and found it acceptable to move forward with the CUP application. The applicant is not proposing any site modifications or internal building modifications. If the requested conditional use permit is granted, the applicant must then update their licensure with the Virginia Department of Education in accordance with the provisions of UDO prior to commencing operation, as well as completing any additional conditions of approval.

- 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.*

The 2045 Comprehensive Plan designates the subject property as Traditional Neighborhood Land Use Type within the Central Growth Area. This property is located near the center of an established residential subdivision, Burnetts Mill, with lots averaging 0.2-acre in size. The neighborhood is surrounded by residential subdivisions and various medical and businesses uses. Family day homes are generally compatible with residential neighborhoods, and while this CUP request represents an increase in intensity of the family-day home use in a more compact subdivision, the proposed conditions of approval, location of the use in a single-family detached residential subdivision, and relatively limited scope of the proposed use limits its impacts on adjacent neighbors, as further described in detail below. Therefore, this request is consistent with the Comprehensive Plan and will not be more injurious to the neighborhood than other uses permitted as a matter of right.

- 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.*

As previously noted in this report, the applicant's property is located along Mallard Drive, which is classified as a local road with lower daily traffic volumes. Supplemental regulations limit traffic from family day homes to 24 trips per day (counting both arrivals and departures). The property is served by an 18'x18' two-car driveway, which will accommodate the required parking for the daycare provider and residents who reside within the home, and adequate on-street parking exists to accommodate several cars parked parallel to the applicant's property, which will serve any additional staff

for the operation. The applicant has indicated that drop-off and pick-up times will be staggered to prevent queuing and congestion on Mallard Drive.

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

This proposed family day home will not generate any adverse impacts related to vibration, odor, dust, smoke, or gas. There are three single-family residential parcels immediately adjacent to the subject property, and the outdoor play area is located adjacent to residential property on all sides. The entire play area appears to be fenced with a solid wooden material, and condition of approval is proposed to ensure the roughly 2,000 square foot play area remains enclosed with fencing on all sides. Noise from the play area is not anticipated to be disruptive to the neighbors; while young children could make some amount of noise outside during the daytime in the required outdoor play area, this is typical and should be expected by persons who choose to reside within a single-family detached residential neighborhood. In the opinion of staff, this does not warrant further noise mitigation given the limitation on number of children in care of the applicant and the large size of the play area. Please note that the applicant is still required to abide by all city regulations pertaining to sound control and noise.

- 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 property values within the neighborhood.*

The proposed use is not expected to be injurious to the use and enjoyment of the properties in the immediate vicinity, nor impair or diminish property values, as it is a limited intensity use that conforms with expected character of a residential area and the overall nature and appearance of the main structure will remain residential. Additionally, to further protect the use, enjoyment, and values of neighboring property, the City has adopted supplemental use regulations within Section 31-701(b)(18) of the UDO that the applicant must abide by.

- 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.*

This area of the city is developed with a mix of residential, commercial, and medical/institutional uses. Given this family day home is located within an existing single-family home in an existing residential subdivision, it is not anticipated to impede the improvement or redevelopment of any surrounding property, largely due to the nature of the use and its location. In fact, the proposed family day home will contribute to the alleviation of the critical childcare shortage in the Hampton Roads region. As noted in prior reports concerning similar requests of this nature, childcare in Virginia occurs in both daycare centers and family day home settings. Per state law, dependent on the type of care setting, childcare can either be fully licensed, unlicensed but regulated, and unlicensed and unregulated (in the case of family day homes for 4 or less children). Reliable and tested childcare capacity data is not readily available for the latter type of childcare setting due to its unregulated nature. The Virginia Early Childhood Foundation (VECF) public-private partnership that administers several key

childcare programs and collects annual data on localities' childcare supply/demand and early childhood education outcomes. VECF collected data in 2025 from state licensing database indicators regarding current centers and family day homes and their capacity, along with the population of Suffolk under the age of five and households with all available parents in the workforce to provide a snapshot of the city's childcare capacity. Per the most recent data, there are 54 childcare sites in the Suffolk, 23 of which are childcare centers, 20 of which are licensed family day homes, and 11 of which are within public schools. The total capacity of all early childhood education settings is 3,516 children, accounting for a recently approved expanded family day home for up to 12 children on Edwards Avenue. Compared to Suffolk's population of 4,504 children under age five with all available parents in the workforce (American Community Survey 5-year estimates, 2023), the data currently shows that Suffolk has a capacity coverage of 78.1% children able to served if all childcare "slots" were occupied. If using the total under age five population of 6,158 (U.S. Census revised, 2023), this coverage capacity shrinks to 57.1% of children able to served. This demonstrates that Suffolk is still currently underserved by licensed childcare options, and the proposed expanded family day home will contribute to the alleviation of the current capacity deficit and provide a much-needed service to local residents.

- 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 to the public health, safety, morals, comfort or general welfare, as it is a small-scale childcare operation within a residential home. Conditions are proposed to limit any potential impacts that may result from this type of use.

- 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 unlikely to be compromised by the proposed use, and the individual interests of property owners within the neighborhood should not be adversely affected by the expanded family day home as it is subject to the proposed conditions of approval.

RECOMMENDATION

It is staff's opinion that the site in question is appropriate for the expansion of the existing family day home operation to provide care for up to 12 children. With family day homes, the intensity of use is typically dictated by the number of children and the number of non-resident employees (none proposed at this time, as the age of number of children in care is to be determined per the required ratio noted earlier in this report), so the amount of internal square footage dedicated to the family day home should have no external impacts on nearby residents. This proposal is compatible with the Traditional Neighborhood designation in the 2045 Comprehensive Plan and provides a critical service to parents and caregivers in the city. Considering the size of the property and the proposed scale of the proposed home daycare operation, staff believes the expanded

operation would not have adverse impacts on the surrounding area and therefore recommends the Planning Commission forward Conditional Use Permit request CUP2026-010 to City Council with a recommendation of **approval**, subject to the following conditions:

1. This Conditional Use Permit shall authorize a day care (family day home, 5-12 children) for property located at 113 Mallard Drive, Zoning Map 25E(3B), Parcel 1; as identified and depicted in Exhibit “B”. ‘
2. The family day home shall have daytime operating hours between 6:00 A.M. and 7:00 P.M.
3. The maximum number of children permitted to be in care during daytime hours at any one time of shall be twelve (12) children, not inclusive of the provider’s own children.
4. Outdoor play shall be permitted only from 8:00 A.M. to 6:00 P.M. consistent with Section 31-701(b)(18) of the Unified Development Ordinance.
5. A fenced outdoor play area shall be provided and maintained as generally depicted on the sketch plan titled “113 Mallard Drive” as identified in Exhibit “C”.
6. The owner/operator and business license holder of the family day home shall reside on the premises.
7. A minimum of five (5) parking spaces shall be provided and maintained as generally depicted the sketch plan titled “113 Mallard Drive” as identified in Exhibit “C”.
8. A minimum of 1,020 square feet shall be provided within the home to be utilized for the family day home use, as generally depicted on the floor plan as identified in Exhibit “D”.
9. All licenses, permits, and approvals from the Virginia Department of Education or other applicable regulatory agencies shall have been received prior to the establishment of the use. Evidence of such licensure shall be provided prior to the issuance of zoning certification for the use.
10. The family day shall be established and operated in accordance with the provisions of Sections 31-701(b)(18), except as modified herein. The applicant shall obtain all necessary permits prior to development and operation of the family day home. The development and operation of the family day home shall further comply with applicable codes, ordinances and regulations of federal, state and local government.

Attachments

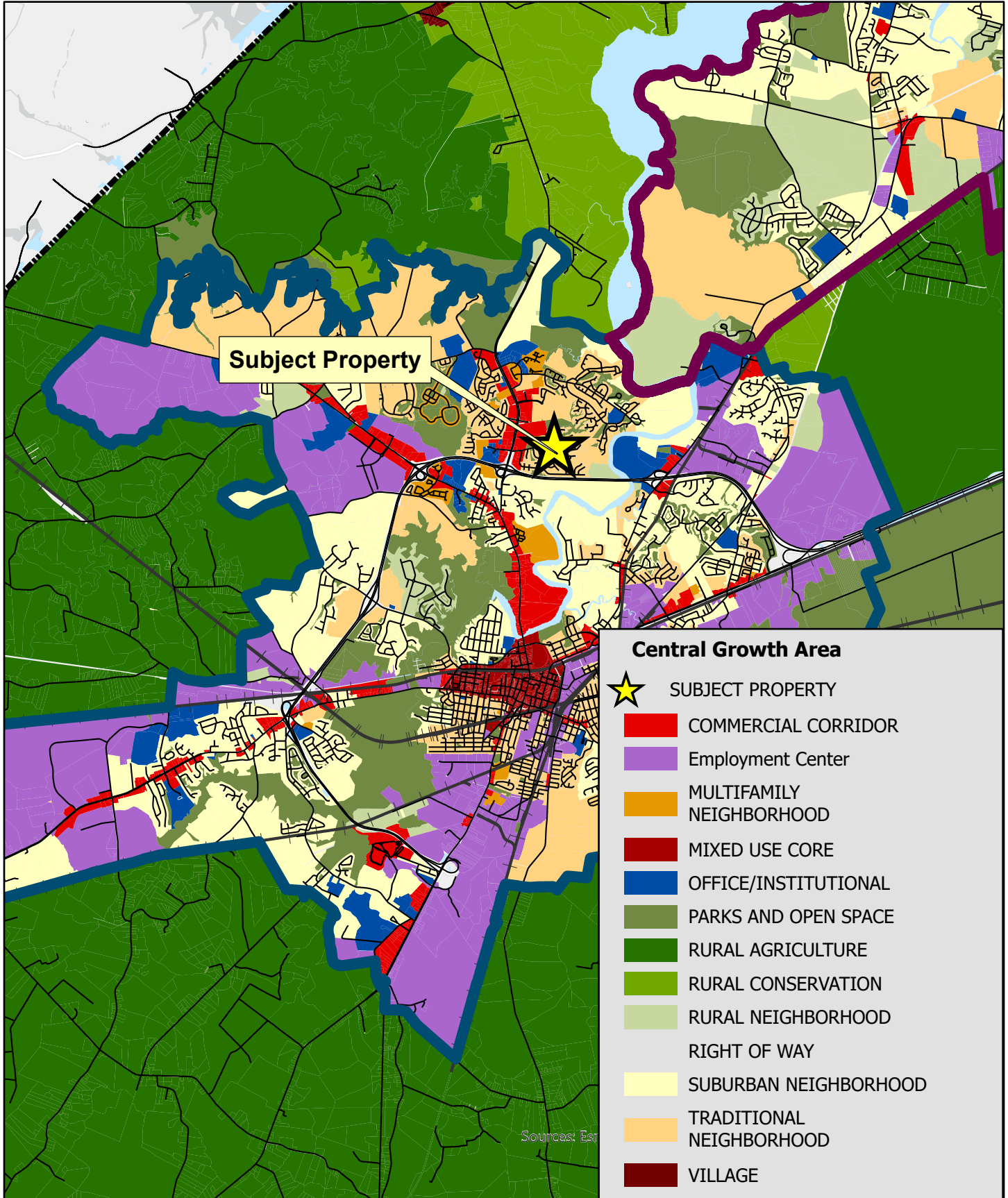
- General Location Map
- Zoning / Land Use Map
- Applicant’s Narrative
- Applicant’s Photos
- Application Disclosure Statement
- Proposed Ordinance
- Exhibit A – Planning Commission Recommendation

- Exhibit B – Property Map
- Exhibit C – “113 Mallard Drive”
- Exhibit D – Floor Plan

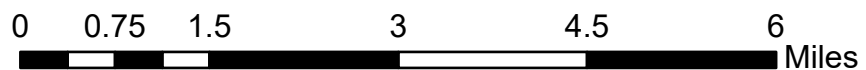


GENERAL LOCATION MAP

CUP2026-00010



Author: KOSSAI
Date: 04-01-2026





ZONING / LAND USE MAP CUP2026-00010



Author: KOSSAI
Date: 04-01-2026

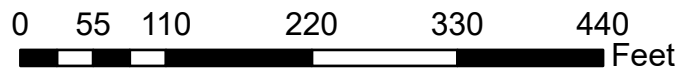
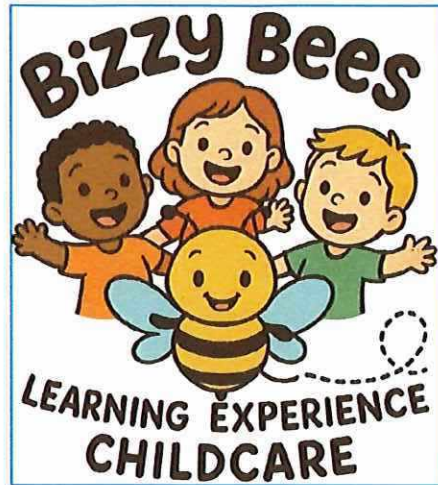


Image: Suffolk Pictometry 2024





Mission

Bizzy Bees Learning Experience is dedicated providing a safe, nurturing, and engaging environment where children are encouraged to learn, grow, and thrive. We are committed to fostering curiosity, creativity, and confidence through hands-on learning, purposeful play, and meaningful social interaction.

Vision

Our vision is to cultivate a joyful and inspiring setting where every child feels valued, supported, and excited to learn. We strive to create an environment where curiosity is celebrated, creativity is encouraged, and each child's unique strengths and abilities are nurtured.

Philosophy

We believe that every child is inherently capable, and full of potential. Children learn best in an environment where they feel safe, respected, and encouraged to explore. At Bizzy Bees Learning Experience, we provide developmentally appropriate, structured experiences that promote social, emotional, and cognitive growth while fostering independence, resilience, and a lifelong love of learning.

Purpose

Bizzy Bees Learning Experience was established in response to a growing need for accessible, high-quality childcare within the community. We recognize that the early years are foundational to a child's long-term success, and we are

committed to supporting families by providing reliable care in a structured, nurturing home environment.

We currently serve children from infancy through four years of age and operate from 6:00 a.m. to 7:00 p.m., with staggered scheduled drop-offs designed to meet the needs of working families and mitigating congestion on our street. Demand for our services has remained consistently strong, with ongoing inquiries and a growing waitlist demonstrating a clear gap in available childcare options.

With approval of this permit, we seek to expand our program to serve children from infancy through 9 years of age. This expansion will allow us to better support families with school-aged children who require before- and after-school care, creating continuity in care and stability for both children and parents.

Request for Expansion

We respectfully request approval to increase our enrollment capacity, in accordance with the Suffolk Unified Development Ordinance, up to a maximum of 12 children. This request is driven by demonstrated community need and a commitment to responsibly growing our small business while maintaining the highest standards of care.

This expansion has been carefully planned to ensure full compliance with all local and state regulations. We remain dedicated to maintaining appropriate staff-to-child ratios, adhering to all health and safety requirements, and preserving the quality, structure, and individualized attention that define our program.

Additionally, expanding our capacity helps address the broader childcare shortage impacting our region. As a locally owned and operated small business, we are proud to be part of the solution supporting families and children during their most formative years while strengthening the economic and social fabric of the community.

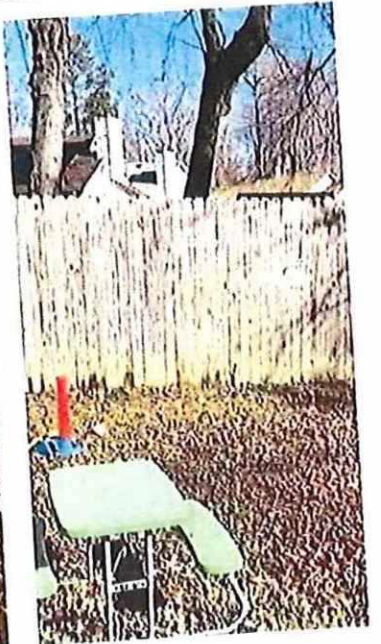




















City of Suffolk
Department of Planning and Community Development
DISCLOSURE STATEMENT FORM



OFFICE INFORMATION: To be completed by staff			
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 <u>original signatures</u> or <u>other approved written consent from all property owners</u> are accepted.	
APPLICANT INFORMATION	
Applicant Name: <u>Rebecca Faulkner</u>	
Property Address(es): <u>113 Mallard Dr Suffolk, VA 23434</u>	
Tax Map Number(s): <u>25E(3B)* 1</u>	
Account Number(s): <u>253262300</u>	
Is Applicant the owner of the subject property? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Does the Applicant have a Representative? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If yes, name of Representative: _____	
Is Applicant a corporation, partnership, firm, business, trust, or unincorporated business? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If yes, list the names of all officers, directors, members, trustees, etc. below AND businesses that have a parent-subsidiary or affiliated business entity relationship (see definitions below) with the applicant (attach list if necessary):	

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:

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 (select one)	SERVICE PROVIDER (Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	<input checked="" type="checkbox"/> <input type="checkbox"/>	Wells Fargo
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 type="checkbox"/> <input checked="" type="checkbox"/>	

PART 4 – PROPERTY OWNER DISCLOSURE

PROPERTY OWNER DISCLOSURE

Property Owner Name: Rebecca Faulkner, Thad Faulkner
 (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-subsiary or affiliated business entity relationship (see definitions below) with the Applicant (attach list if necessary):

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

If yes, name of the proposed or pending purchaser: _____

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:

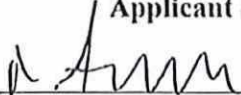
PROPERTY OWNER SERVICES DISCLOSURE

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Wells Fargo</u>
Real Estate Broker/Agent/Realtor	<input type="checkbox"/>	<input type="checkbox"/>	_____
Accounting/Tax Preparation	<input type="checkbox"/>	<input type="checkbox"/>	_____
Architect/Designer/Landscape Architect/Land Planner	<input type="checkbox"/>	<input type="checkbox"/>	_____
Construction Contractor	<input type="checkbox"/>	<input type="checkbox"/>	_____
Engineer/Surveyor/Agent	<input type="checkbox"/>	<input type="checkbox"/>	_____
Legal Services	<input type="checkbox"/>	<input type="checkbox"/>	_____

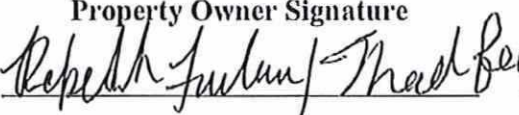
APPLICANT CERTIFICATION

- 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.

Applicant Name (Print)	Applicant Signature	Date
<u>Rebekah Faulkner</u>	<u></u>	<u>2/23/26</u>

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.

Property Owner Name (Print)	Property Owner Signature	Date
<u>Rebekah Faulkner / Mrs. Faulkner</u>	<u></u>	<u>2/23/26</u>

"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.

ORDINANCE NUMBER _____

AN ORDINANCE TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A DAY CARE (FAMILY DAY HOME, 5-12 CHILDREN) ON PROPERTY LOCATED AT 113 MALLARD DRIVE, ZONING MAP 25E(3B), PARCEL 1, ACCOUNT NUMBER 253252300; CUP2026-010

WHEREAS, Rebekah and Thad Faulkner, applicants and property owners, have requested a Conditional Use Permit to establish a day care (family day home, 5-12 children) located at 113 Mallard Drive, which land is designated on the Zoning Map of the City of Suffolk, Virginia as Zoning Map 25E(3B), Parcel 1, and is more particularly depicted in Exhibit "B"; 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 (1950), as amended, and Section 31-102 and Section 31-306(c)(1 through 8) of the Code of the City of Suffolk, 1998 (as amended), with respect to the purposes stated in Sections 15.2-2200 and 15.2-2283 of the Code of Virginia (1950), as amended; 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", "113 Mallard Drive", and Exhibit "D", "Floor 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 day care (family day home, 5-12 children), 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 forestal 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 day care (family day home, 5-12 children) 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 day care (family day home, 5-12 children) in compliance with Sections 31-306, 31-406, and 31-701 of the Code of the City of Suffolk.

Conditions

1. This Conditional Use Permit shall authorize a day care (family day home, 5-12 children) for property located at 113 Mallard Drive, Zoning Map 25E(3B), Parcel 1; as identified and depicted in Exhibit "B".
2. The family day home shall have daytime operating hours between 6:00 A.M. and 7:00 P.M.
3. The maximum number of children permitted to be in care during daytime hours at any one time shall be twelve (12) children, not inclusive of the provider's own children.
4. Outdoor play shall be permitted only from 8:00 A.M to 6:00 P.M. consistent with Section 31-701(b)(18) of the Unified Development Ordinance.
5. A fenced outdoor play area shall be provided and maintained as generally depicted on the sketch plan titled "113 Mallard Drive" as identified in Exhibit "C".
6. The owner/operator and business license holder of the family day home shall reside on the premises.
7. A minimum of five (5) parking spaces shall be provided and maintained as generally depicted on the sketch plan titled "113 Mallard Drive" as identified in Exhibit "C".
8. A minimum of 1,020 square feet shall be provided within the home to be utilized for the family day home use, as generally depicted on the floor plan as identified in Exhibit "D".
9. All licenses, permits, and approvals from the Virginia Department of Education or other applicable regulatory agencies shall have been received prior to the establishment of the use. Evidence of such licensure shall be provided prior to the issuance of zoning certification for the use.
10. The family day shall be established and operated in accordance with the provisions of Sections 31-701(b)(18), except as modified herein. The applicant shall obtain all necessary permits prior

to development and operation of the family day home. The development and operation of the family day home shall further comply with applicable codes, ordinances and regulations of federal, state and local government.

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 time all 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

EXHIBIT "A"

RESOLUTION NO. 26-05-04

CITY OF SUFFOLK PLANNING COMMISSION

**A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION
TO CITY COUNCIL RELATING TO CONDITIONAL USE PERMIT
CUP2026-010**

**TO GRANT A CONDITIONAL USE PERMIT TO ESTABLISH A DAY CARE (FAMILY
DAY HOME, 5-12 CHILDREN) ON PROPERTY LOCATED AT 113 MALLARD
DRIVE, MAP 25E(3B), PARCEL 1, ACCOUNT NUMBER 253252300**

WHEREAS, Rebekah and Thad Faulkner, applicants and property owners, have requested a Conditional Use Permit to establish a day care (family day home, 5-12 children) located at 113 Mallard Drive, which land is designated on the Zoning Map of the City of Suffolk, Virginia as Zoning Map 25E(3B), Parcel 1, and is more particularly depicted in Exhibit "B"; 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, CUP2026-010, 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: _____

TESTE: _____

CONDITIONAL USE PERMIT

CUP2026-010

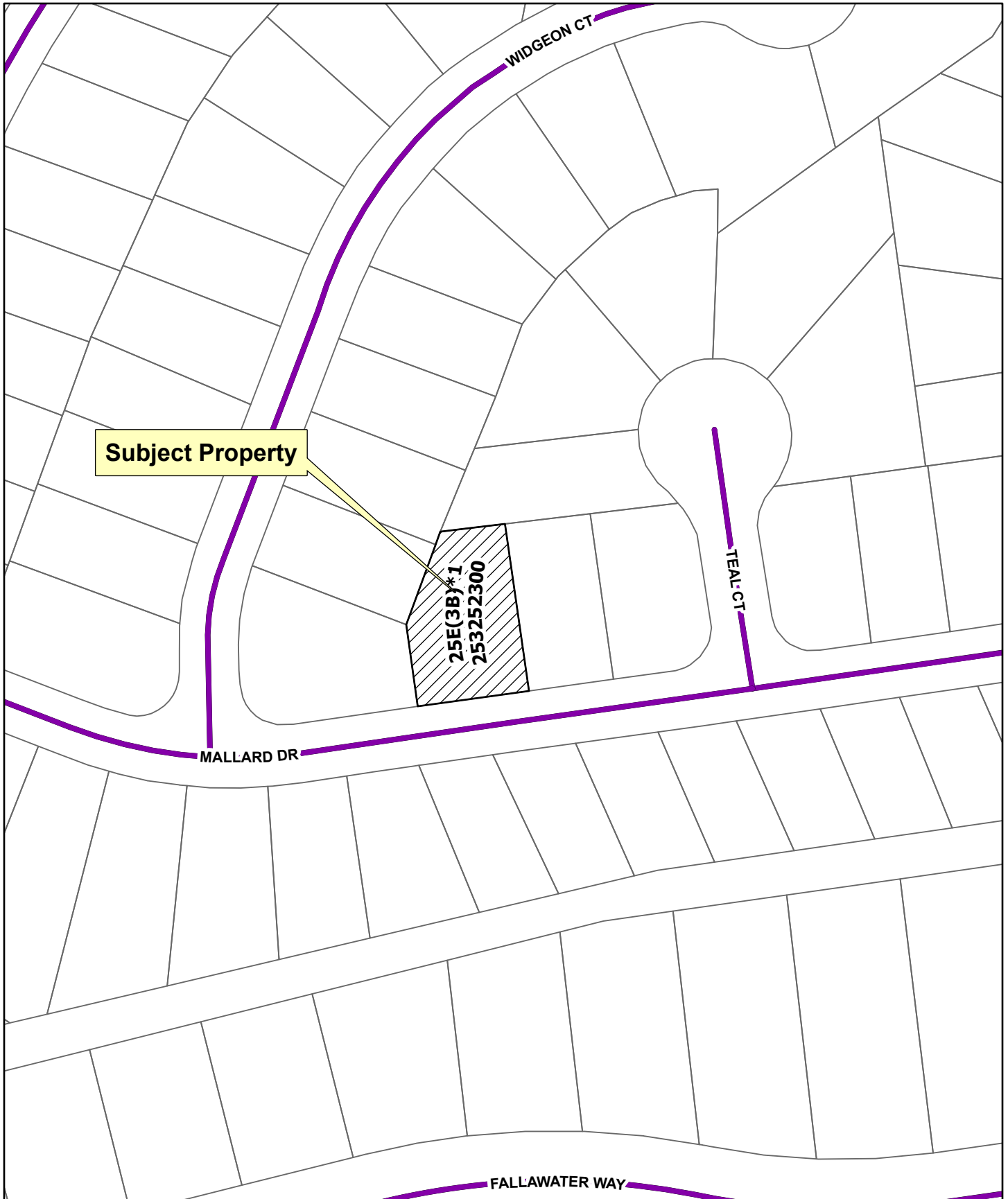
CONDITIONS

1. This Conditional Use Permit shall authorize a day care (family day home, 5-12 children) for property located at 113 Mallard Drive, Zoning Map 25E(3B), Parcel 1; as identified and depicted in Exhibit "B".
2. The family day home shall have daytime operating hours between 6:00 A.M. and 7:00 P.M.
3. The maximum number of children permitted to be in care during daytime hours at any one time shall be twelve (12) children, not inclusive of the provider's own children.
4. Outdoor play shall be permitted only from 8:00 A.M. to 6:00 P.M. consistent with Section 31-701(b)(18) of the Unified Development Ordinance.
5. A fenced outdoor play area shall be provided and maintained as generally depicted on the sketch plan titled "113 Mallard Drive" as identified in Exhibit "C".
6. The owner/operator and business license holder of the family day home shall reside on the premises.
7. A minimum of five (5) parking spaces shall be provided and maintained as generally depicted on the sketch plan titled "113 Mallard Drive" as identified in Exhibit "C".
8. A minimum of 1,020 square feet shall be provided within the home to be utilized for the family day home use, as generally depicted on the floor plan as identified in Exhibit "D".
9. All licenses, permits, and approvals from the Virginia Department of Education or other applicable regulatory agencies shall have been received prior to the establishment of the use. Evidence of such licensure shall be provided prior to the issuance of zoning certification for the use.
10. The family day shall be established and operated in accordance with the provisions of Sections 31-701(b)(18), except as modified herein. The applicant shall obtain all necessary permits prior to development and operation of the family day home. The development and operation of the family day home shall further comply with applicable codes, ordinances and regulations of federal, state and local government.



PROPERTY MAP CUP2026-00010

EXHIBIT B



Author: KOSSAI
Date: 04-01-2026

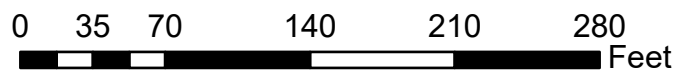
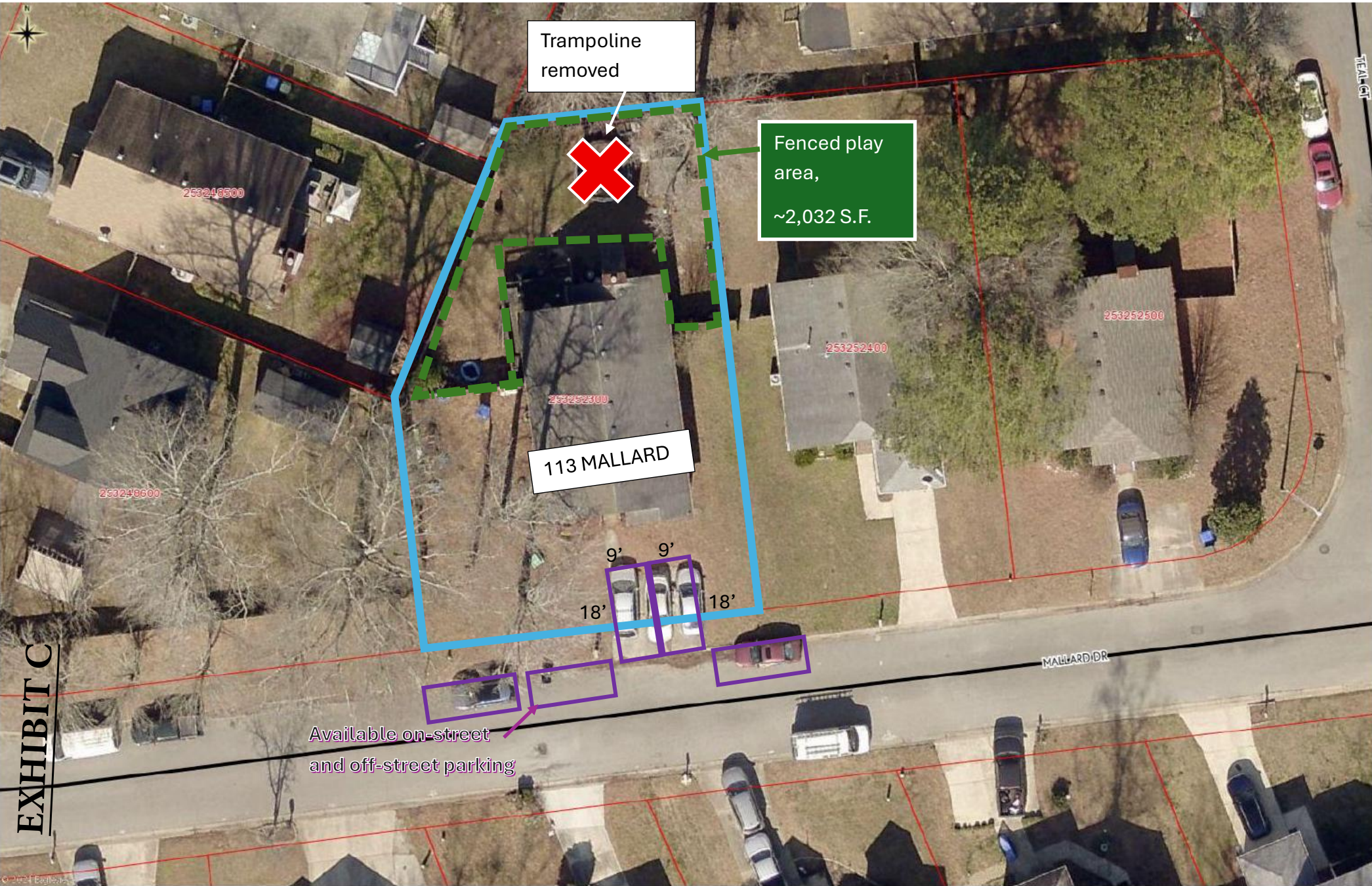


EXHIBIT C

113 Mallard Drive



Trampoline removed

Fenced play area, ~2,032 S.F.

113 MALLARD

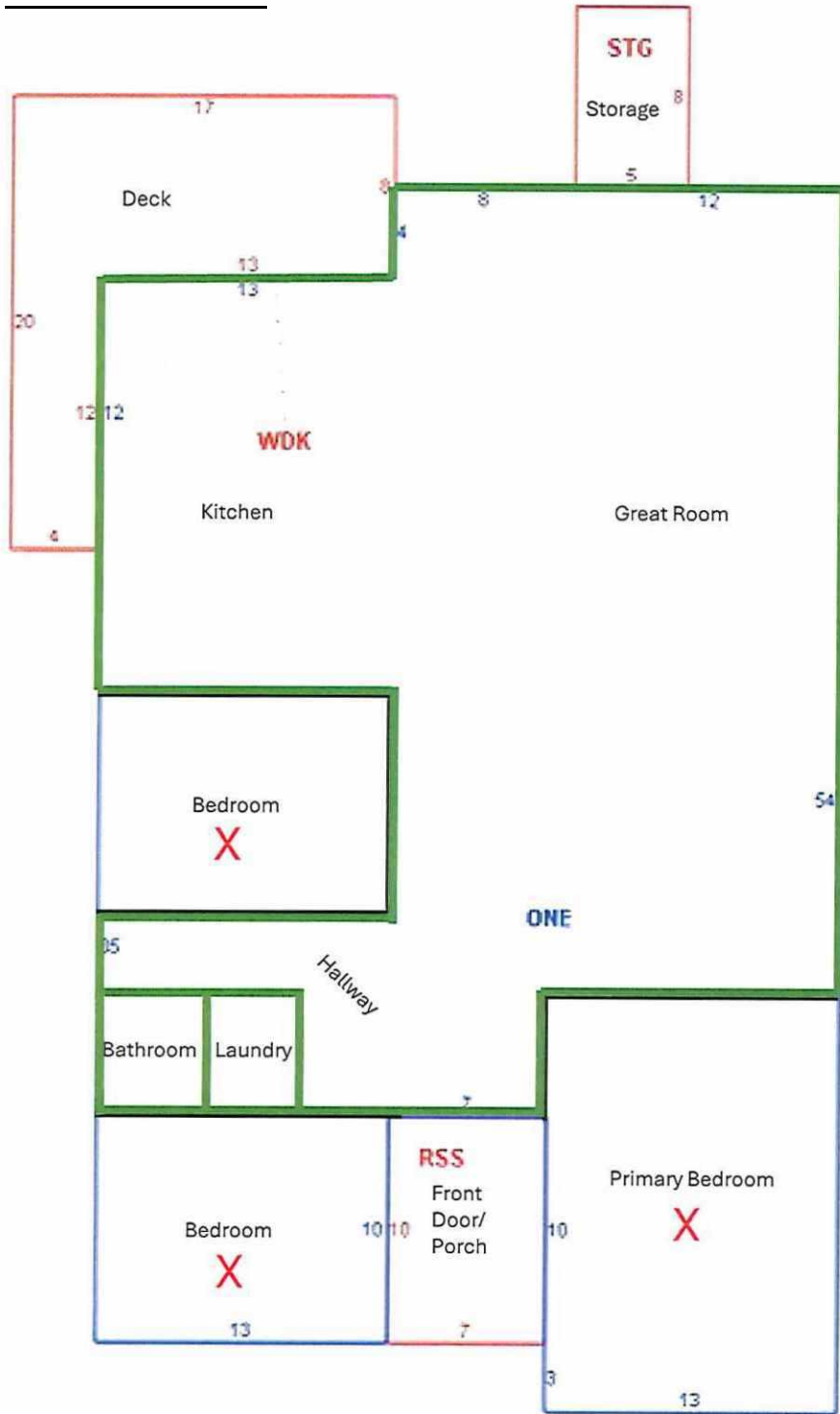
9' 9'
18' 18'

Available on-street and off-street parking

EXHIBIT C

EXHIBIT D

EXHIBIT D





CITY OF SUFFOLK

442 W. WASHINGTON STREET, P.O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4060 FAX: (757) 514-4099

DIVISION OF PLANNING

May 21, 2026

Suffolk Planning Commission
City of Suffolk, Virginia

Dear Commissioners:

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.

Please contact me if you have any questions in advance of the meeting.

Respectfully submitted,

Kevin Wyne, AICP
Director of Planning and Community Development

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-meaderly;
Brewery, distillery, winery, cidery, Meaderly;
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-meaderery

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-meaderery 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, Meaderery

Staff is proposing to add the use “Brewery, Distillery, Winery, Cidery, Meaderery” 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**.

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

**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: _____

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-I	CP	M-1	M-2	FRRD	
RESIDENTIAL DWELLING UNITS AND GROUP LIVING:																							
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	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	—	—	—	—	
INSTITUTIONAL, CIVIC, RECREATION AND ENTERTAINMENT:																							
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>—</u>	<u>C</u>	<u>C</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	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	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	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	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	P	—
Parking, commercial (not owned or operated by a public agency)	—	—	—	—	—	—	—	—	—	—	—	—	—	C	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

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	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	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. ⁽²⁾	—	—	—	—	—	—	—	—	—	—	—	—	—	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	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) Motion picture and video production	—	—	—	—	—	—	—	—	—	—	—	—	—	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	P	C
Research and development, offices	—	—	—	—	—	—	—	—	—	—	—	—	P	P	C	P	P	P	P	P	P	P	P
Sound recording studios and other sound recording facility	—	—	—	—	—	—	—	—	—	—	—	—	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	—
AGRICULTURAL AND EXTRACTIVE USES:																							
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	—	
AVIATION OR SURFACE TRANSPORTATION PASSENGER TERMINAL:																								
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	P
Bus/railroad depot/taxi stand	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	P	C	C	P	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	—
SOLAR ENERGY																								
Solar energy facilities	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	—

TABLE 406-1: PRINCIPAL USES PERMITTED IN ZONING DISTRICTS																						
Specific Use Type	Zoning Districts																					
WIND ENERGY:	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	—

...

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-1 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.

...



DIVISION OF PLANNING

CITY OF SUFFOLK

442 W. WASHINGTON STREET, P.O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4060 FAX: (757) 514-4099

May 21, 2026

Suffolk Planning Commission
City of Suffolk, Virginia

Dear Commissioners:

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 of the Code City of Suffolk, Virginia. The purpose of the proposed text amendments is to update and refine the regulations of the Unified Development Ordinance pertaining to accessory dwelling units.

Please contact me if you have any questions in advance of the meeting.

Respectfully submitted,

Kevin Wyne, AICP
Director of Planning and Community Development

Attachments

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 over 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 has been removed, only if the principal dwelling meets the minimum requirement for parking 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**.

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 APPRENDIX “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, Chater 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

**CITY OF SUFFOLK PLANNING COMMISSION
A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION
TO CITY COUNCIL RELATING TO**

OTA2026-005

**AN ORDINANCE TO AMEND SECTION 31-406(C), 31-701(B)(13), 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 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 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:_____

TESTE:_____

“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
RESIDENTIAL DWELLING UNITS AND GROUP LIVING:																						
Accessory dwelling unit, attached (§ 31-701)	—	P	P	P	P	P	P	<u>P</u>	<u>P</u>	<u>P</u> —	<u>P</u> —	—	—	—	—	<u>P</u>	<u>P</u>	—	—	—	—	P
Accessory dwelling unit, detached (§31-701)	—	P (+)	P (+)	P (+)	<u>P</u> €	<u>P</u> €	<u>P</u> €	<u>P</u> €	<u>P</u> €	<u>P</u> —	<u>P</u> —	—	—	—	—	<u>P</u> —	<u>P</u> —	—	—	—	—	<u>P</u> —
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	—	—	—	—	
INSTITUTIONAL, CIVIC, RECREATION AND ENTERTAINMENT:																							
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	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
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	—	—	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	P	—
Parking, commercial (not owned or operated by a public agency)	—	—	—	—	—	—	—	—	—	—	—	—	—	C	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	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	
Stable, commercial	C	P	P	C	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	—	—	
Stable, private	C	P	P	P	—	—	—	—	—	—	—	—	—	—	—	C	—	—	—	—	—	—	
Schools, business or trade	—	—	—	—	—	—	—	—	—	—	—	—	C	C	—	C	C	C	C	P	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	P	C	C	C	P	—	—	—	C
Schools, dance/art/music schools	—	—	—	—	—	—	—	—	—	—	—	C	C	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	—	—	—	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
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
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
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
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
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
Zoo, indoor or outdoor (indoor only in CBD)	—	C	—	—	—	—	—	—	—	—	—	—	—	—	C	—	C	C	—	C	C	—
OFFICES:																						
Flex-space	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	C	C	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
COMMERCIAL AND RETAIL:																						
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	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	—	—	—	—	—	—	—

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	C
TELECOMMUNICATIONS FACILITIES:																						

Solid waste management facility	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	
Transfer station, hazardous waste or solid waste	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—
AVIATION OR SURFACE TRANSPORTATION PASSENGER TERMINAL:																							
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	—	
SOLAR ENERGY																							
Solar energy facilities	—	C	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	C	—

TABLE 406-1: PRINCIPAL USES PERMITTED IN ZONING DISTRICTS																						
Specific Use Type	Zoning Districts																					
WIND ENERGY:	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. 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. The zoning permit shall be reviewed for compliance by the Zoning Administrator on an annual basis 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.



CITY OF SUFFOLK

442 W. WASHINGTON STREET, P.O. BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4060 FAX: (757) 514-4099

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT

Division of Planning

May 21, 2026

Suffolk Planning Commission
City of Suffolk, Virginia

Dear Commissioners:

Attached for your information are details pertaining to Conditional Use Permit Request, CUP2026-004, submitted by James Parker with Clearwater Mitigation VI, LLC, applicant and 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 wetlands mitigation bank on property located at 2101 Buckhorn Drive, and consists of four contiguous parcels across Suffolk and Isle of Wight County. The subject property is further identified as Zoning Map 30, Parcel 14 in Suffolk and as Property IDs 67-01-013, 67-01-016, and 67-01-018 in Isle of Wight County.

The affected area is further identified as being located in the Holy Neck Voting Borough, zoned A, Agriculture Zoning District. The 2045 Comprehensive Plan designates this area as outside the Growth Area, Rural Agriculture Land Use Type.

Information and maps pertaining to this request are attached for your consideration. Please contact either myself or Isabella Reynolds, the staff planner handling this case, if you have any questions in advance of the meeting.

Respectfully submitted,

Kevin Wyne, AICP
Director of Planning and Community Development

Attachments

- Staff Summary Report
- General Location Map
- Zoning / Land Use Map
- Property Map
- Applicant's Narrative
- CUP Project Area Map

CUP2026-004

MYRTLE MITIGATION BANK

STAFF SUMMARY

DESCRIPTION

CONDITIONAL USE PERMIT REQUEST: Conditional Use Permit Request, CUP2026-004, Myrtle Mitigation Bank, in accordance with Sections 31-306 and 31-406 of the Unified Development Ordinance, to establish a wetlands mitigation bank.

APPLICANT: James Parker, Clearwater Mitigation VI, LLC, applicant and property owner.

LOCATION: The subject property is located at 2101 Buckhorn Drive and consists of four contiguous parcels located within the City of Suffolk and Isle of Wight County. The subject property is further identified as Zoning Map 30, Parcel 14 in Suffolk and as Property IDs 67-01-013, 67-01-016, and 67-01-018 in Isle of Wight County.

PRESENT ZONING: The portion of the subject property within the City of Suffolk's jurisdictional boundary is currently zoned A, Agricultural zoning district, and encompasses approximately 212 acres.

EXISTING LAND USE: The subject property is currently silviculture land and operates as a Loblolly Pine farm.

PROPOSED LAND USE: The applicant proposes to rehabilitate degraded wetlands to establish a wetlands mitigation bank to provide mitigation credits for future development within two local watersheds.

SURROUNDING LAND USES:

- North: Undeveloped agricultural and forested land, with abandoned railroad right-of-way and single-family dwellings beyond, zoned A, Agriculture zoning district within the City of Suffolk, and zoned RAC, Rural Agricultural Conservation zoning district within Isle of Wight County.
- South: Undeveloped agricultural and forested land zoned A, Agriculture zoning district.
- East: Forested land and Buckhorn Drive, with cropland and scattered single-family dwellings beyond zoned A, Agriculture zoning district.
- West: Undeveloped forested land, zoned A, Agricultural zoning district, with cropland, and scattered single-family dwellings beyond, zoned RAC, Rural Agricultural Conservation zoning district within Isle of Wight.

COMPREHENSIVE PLAN: The City's 2045 Comprehensive Plan designates this area as outside of the growth area, Rural Agriculture Land Use Type.

CHESAPEAKE BAY PRESERVATION AREA DESIGNATION: The majority of the property is located within the City's Chesapeake Bay Preservation Area Overlay District (CBPA)

and is designated as a Resource Management Area (RMA).

FLOOD PLAIN: The property lies within Flood Zone X, as shown on Panel No. 5101560185D, dated August 3, 2015, of the Flood Insurance Rate Map (FIRM) for the City of Suffolk, Virginia.

HISTORY: The subject property has historically been logged under silviculture operations as a loblolly pine farm.

ISSUE:

The applicant proposes to restore and rehabilitate approximately 212.25 acres of wetlands within the City of Suffolk to establish a wetlands mitigation bank. When wetland impacts are unavoidable in order to develop a project, the impacts are required to be mitigated by the Virginia Department of Environmental Quality (DEQ) and U.S. Army Corps of Engineers (USACE). A common method of mitigating wetland impacts is through the purchase of credits from a wetlands mitigation bank within the same watershed as the development.

The Myrtle Mitigation Bank comprises two projects further identified as the “Mitigation Bank,” containing approximately 204.3 acres, and the “Ecological Restoration Project,” containing approximately 7.9 acres. The work and goals for each project are consistent to (i) restore wetland functions and values and (ii) permanently protect restored natural resources through a conservation easement. The primary difference between the two projects is that the larger Mitigation Bank will provide compensatory wetland mitigation credits available for purchase, while the smaller Ecological Restoration Project will provide wetland mitigation credit to a singular customer/project. Both projects are functionally the same in being restored and offered for mitigation credit and are thus both defined as “wetland mitigation banks” within the Unified Development Ordinance. Both projects are also subject to similar USACE and DEQ oversight and permitting.

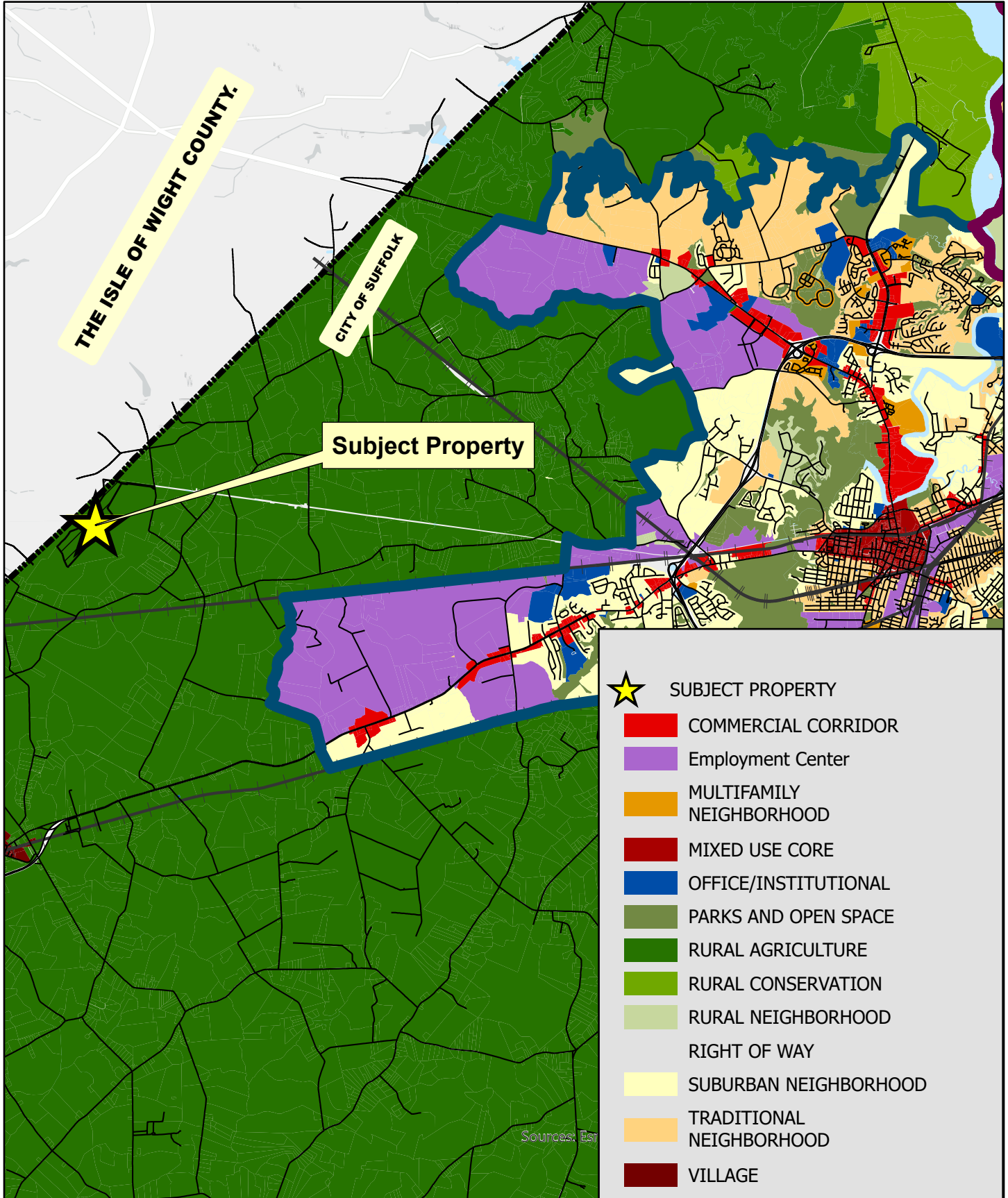
In addition to crossing jurisdictional boundaries between the City of Suffolk and Isle of Wight County, the project also spans across two watersheds, identified by their Hydrologic Unit Code (HUC). The majority of the site drains eastward towards Cohoon Creek and the Nansemond River within the Lower James River watershed, HUC 02080208. The balance of the property drains southwest towards Corrowaugh Creek and the Blackwater River within the Chowan River watershed, HUC 03010202. The mitigation bank would provide wetland impact credits to both watersheds.

The current and historic operations of the property as a loblolly pine farm have resulted in the drainage of wetlands, loss of native habitat, and the introduction of non-point source pollution. The natural wetlands and associated buffers present on the site would need to be restored to establish the site as a wetlands mitigation bank. Restoration activities will consist of removing and/or plugging of ditches, targeted grading of linear planting beds, planting diverse native wetland vegetation, and recreating habitats typical for native fauna.

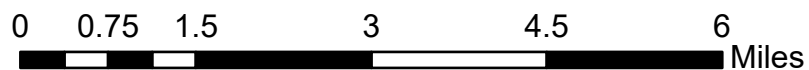


GENERAL LOCATION MAP

CUP2026-00004



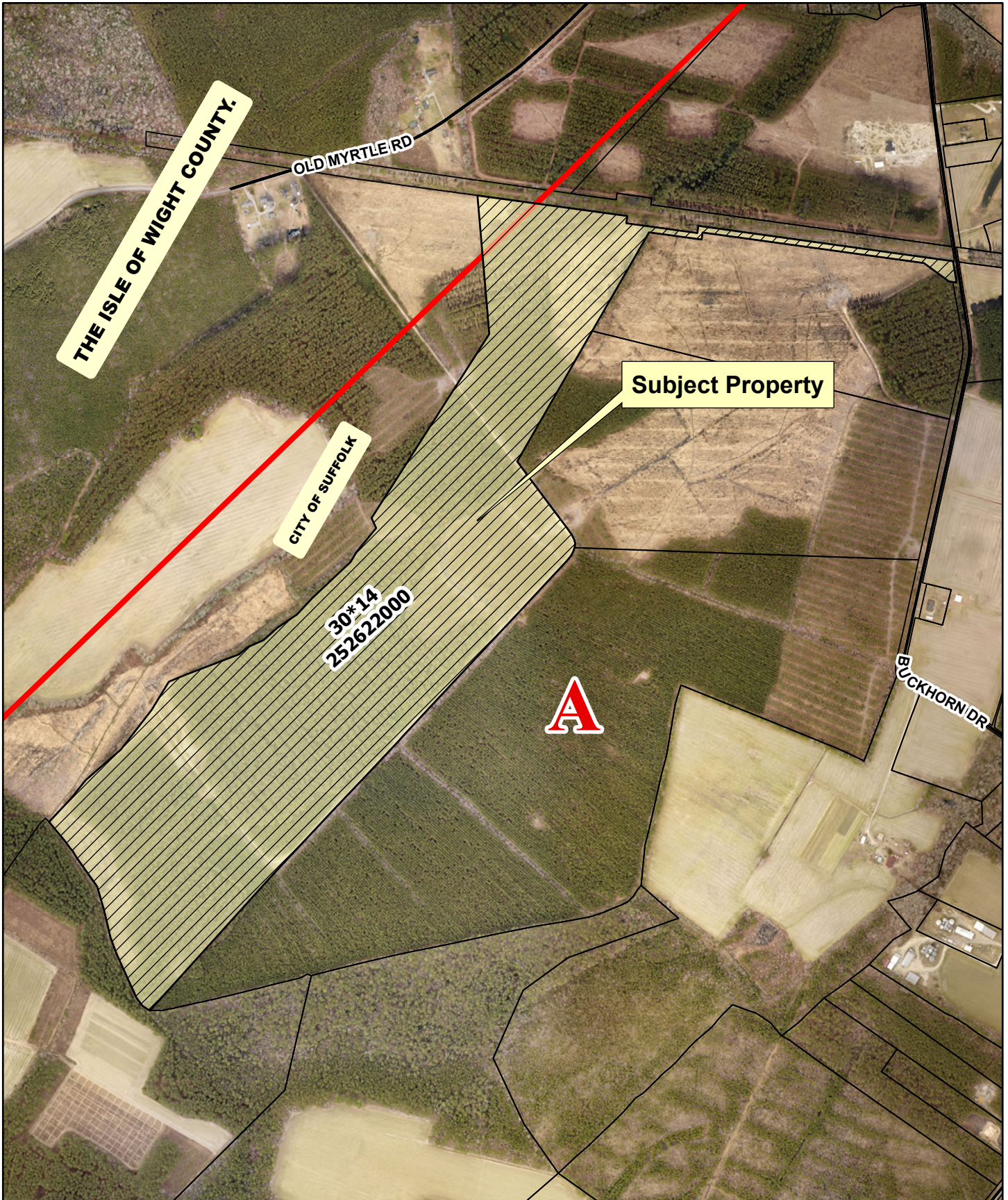
Author: KOSSAI
Date: 02-04-2026





ZONING / LAND USE MAP

CUP2026-00004



Author: KOSSAI
Date: 02-04-2026

0 360 720 1,440 2,160 2,880
Feet

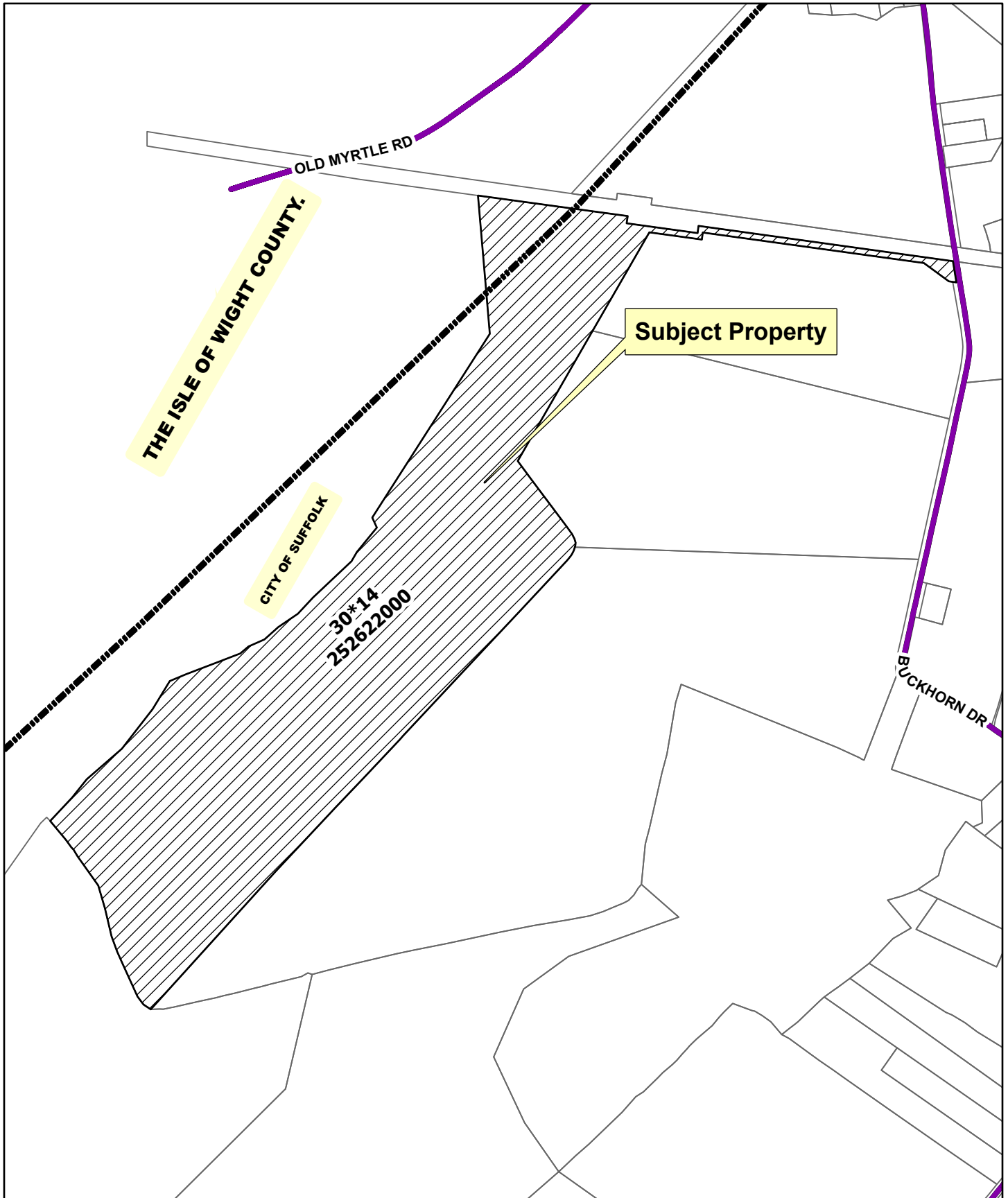
Image: Suffolk Pictometry 2024



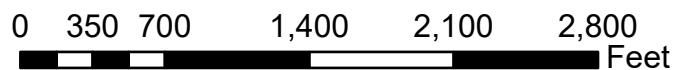


PROPERTY MAP CUP2026-00004

EXHIBIT B



Author: KOSSAI
Date: 02-04-2026





Myrtle Mitigation Bank and Ecological Restoration Project Project Narrative

Updated April 30, 2026

Introduction

The landowner proposes to establish, design, construct, and operate an ecological restoration project under a single Nationwide Permit 27 authorization. This overall project is subject to the City of Suffolk CUP 2026-004 and consists of two separate project efforts, the “Myrtle Mitigation Bank” and the “Ecological Restoration Project.” The work and project outcomes for both the “Myrtle Mitigation Bank” and the “Ecological Restoration Project” are consistent throughout: i) restore wetland function and values, including hydrology, vegetation and soils, by removing all existing pine plantation management practices and ii) permanently protect aquatic resources and buffers under a conservation easement.

1. **Overall Project:** The overall project is a combination of both the “Myrtle Mitigation Bank” and the “Ecological Restoration Project” and is approximately 264.42 acres, of which 256.5 acres are associated with the “Myrtle Mitigation Bank” and 7.92 acres are associated with the “Ecological Restoration Project.” The overall project spans across four parcels in Isle of Wight County and the City of Suffolk, Virginia.

Within the total project area, approximately 212.255 acres are within the City of Suffolk and subject to the CUP, of which 204.331 acres associated with the “Myrtle Mitigation Bank” and 7.92 acres associated with the “Ecological Restoration Project.” Reference the site statistical table on *Page 1* of Exhibit B – Design Plans for a detailed breakdown of the overall site area.

As mentioned previously, the project is comprised of two separate entitlement efforts. A summary of each effort is described below, and a map showing the limits of the project across the property is included as Exhibit A – CUP Map.

- a) **Myrtle Mitigation Bank:** Most of the project area is being entitled as a compensatory wetland mitigation bank known as the Myrtle Mitigation Bank (“Myrtle”, or “the Bank”) which is comprised of approximately 256.5 acres across all four parcels, within both Isle of Wight County and the City of Suffolk. Within this area, approximately 204.331 acres are subject to the City of Suffolk CUP.

Reference the site statistical table on *Page 2* of Exhibit B – Design Plans for a detailed breakdown of the Myrtle Mitigation Bank site area. *Pages 2 through 66* of Exhibit B – Design Plans are relevant to Myrtle Mitigation Bank only. Additionally, refer to Exhibit A-2 – Myrtle Mitigation Bank Development Plan which provides a visual overview of the project work on an aerial map.

b) Ecological Restoration Project (potential PRM): The remaining portion of the overall project is an area comprised of approximately 7.92 acres which is entirely within a single parcel in the City of Suffolk and subject to the CUP. This portion of the restoration effort will involve the same restoration activities, maintenance, monitoring, and long-term protections, but may be developed as either a “Permittee-Responsible Mitigation” site (“PRM”) or a second phase of the Myrtle Mitigation Bank. Like mitigation banks, PRMs are similarly subject to USACE and DEQ oversight, but the mitigation benefit is generated for a single customer/project, whereas a mitigation bank generates credits that may be sold to satisfy the compensatory mitigation needs of multiple permitted projects. While the distinction is relevant from a regulatory/crediting standpoint, the actual use, site conditions, and outcomes would be consistent across the property.

Reference the site statistical table on *Page 67* of Exhibit B – Design Plans for a detailed breakdown of the Ecological Restoration Project site area. *Pages 67 through 83* of Exhibit B are relevant to the Ecological Restoration Project only. Additionally, refer to Exhibit A-3 – Ecological Restoration Project Development Plan for a visual overview of the project work on an aerial map.

Project Summary

Both portions of the overall project will generate high-quality wetland mitigation credits from the restoration, rehabilitation, and permanent protection of wetlands and associated buffers within a strategically located watershed divide in southeastern Virginia.

Location

The project is located off Old Myrtle Road (36.738618°, -76.760369°) and the subject parcels span the boundary between Isle of Wight County and the City of Suffolk as well as spanning across a geographic watershed divide, with the majority of the site draining eastward to Cohoon Creek and the Nansemond River, tributaries of the Lower James River watershed (HUC 02080208). The remaining portions of the property drain south and west to Corrowaugh Creek and the Blackwater River, tributaries of the Chowan River watershed (HUC 03010202).

Baseline Conditions

Current and historic land use practices on the property consist primarily of managed loblolly pine plantation silviculture which substantially altered and degraded on-site aquatic resources, functions, and values. These practices have resulted in the drainage of wetlands, loss of native habitat, and the introduction of non-point source pollution, thereby diminishing the site’s natural hydrologic and ecological functions.

The proposed wetland rehabilitation and restoration activities will reverse these impacts and convert the existing pine plantation into a high-functioning, diverse non-tidal forested wetland complex.

Summary of Proposed Work

Within the Myrtle Mitigation Bank, the landowner proposes to restore and rehabilitate approximately 245.56 acres of degraded wetlands (228.27 acres of wetland and 17.29 acres of

wetland buffer), while preserving an additional 1.84 acres of existing wetlands and 4.73 acres of upland buffer. Within the Ecological Restoration Project/potential PRM area, the landowner proposes to restore and rehabilitate approximately 7.92 acres of degraded wetlands (6.07 acres of wetland and 1.85 acres of wetland buffer).

Restoration activities will focus on reestablishing natural hydrology, soil conditions, and native vegetation communities. Hydrologic restoration will be achieved through the removal and/or plugging of active ditch networks to restore natural surface and subsurface water flows and increase the duration and extent of soil saturation. Existing planting beds and furrows will be intersected and/or removed to reduce artificial drainage and promote increased dispersion and infiltration of surface waters.

Targeted grading activities will restore site topography and enhance wetland hydrologic function. These actions include grading excessive mounding and interior upland areas to approximate original ground elevations, as well as grading depressional features to facilitate surface water retention. Vegetative restoration will involve the reestablishment of diverse native woody and herbaceous wetland species appropriate for anticipated hydrologic and soil conditions.

Complete Design Plans are included for review, including grading details, erosion and sediment control measures, construction details, and planting schedules.

Permitting Requirements

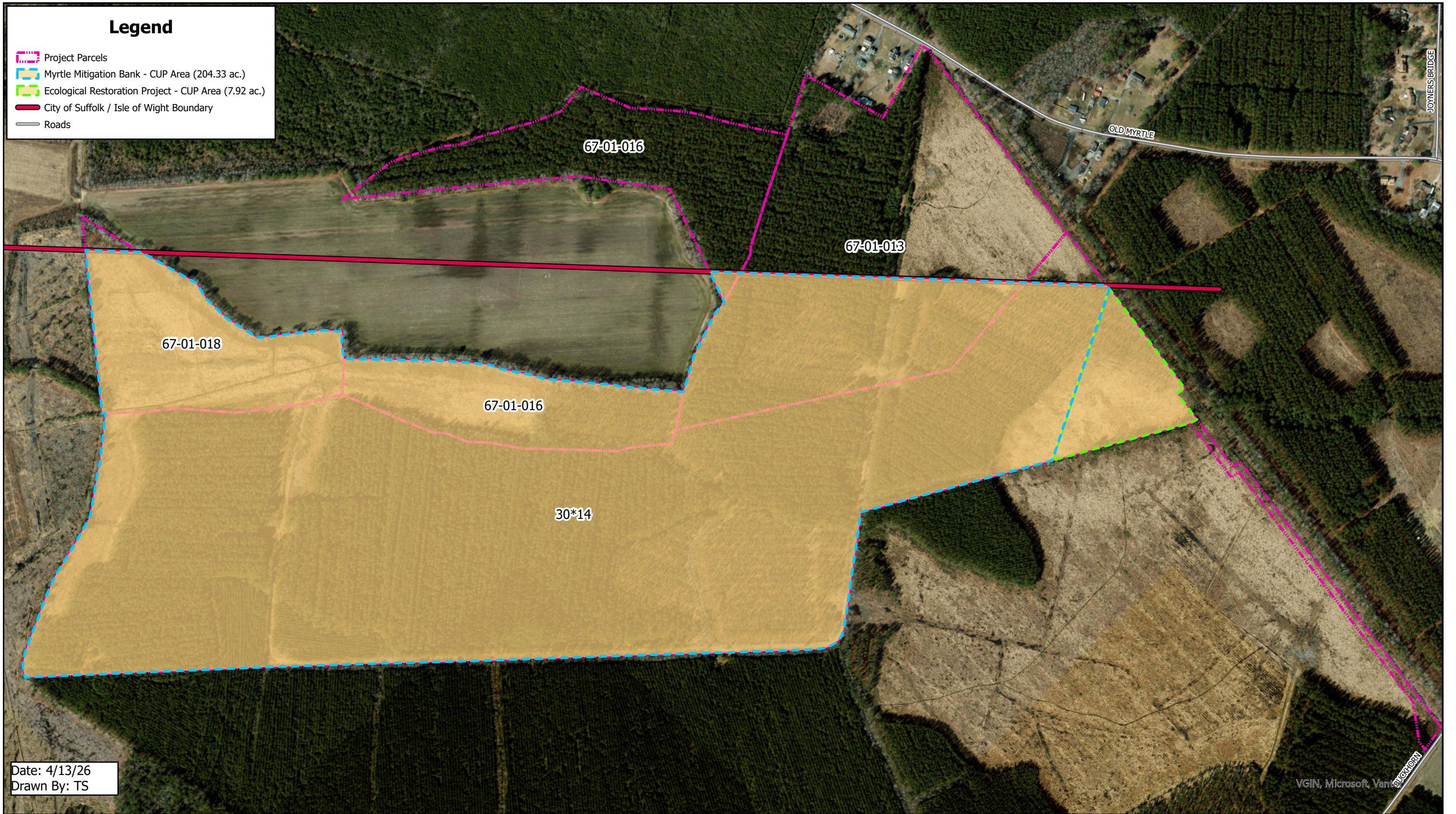
Upon approval of the requested Conditional Use Permit, the Applicant will pursue the requisite Site Plan reviews for land disturbance/E&S permits for the portions within Suffolk and Isle of Wight, respectively, and coordinate accordingly with each jurisdiction. With respect to stormwater requirements, our proposed work is limited to ecological restoration which will improve water quality (i.e. no traditional development and does not generate increased runoff). Based on DEQ guidance (Memo dated 9/9/2025 *Re: Permitting for Surface Water Restoration and Reforestation*, included as Exhibit D, this type of project is exempt from VSMP stormwater requirements.

Expected Outcomes

Upon implementation, the proposed restoration and preservation activities will reestablish the site's ability to trap sediment, filter pollutants, and provide high-quality wildlife habitat, resulting in measurable improvements to water quality and ecological function within both the James River and Chowan River watersheds. The Myrtle Mitigation Bank and Ecological Restoration Project / potential PRM area will provide long-term, sustainable compensatory mitigation benefits while supporting watershed-level restoration and conservation objectives and will be permanently protected under a conservation easement.

Legend

- Project Parcels
- Myrtle Mitigation Bank - CUP Area (204.33 ac.)
- Ecological Restoration Project - CUP Area (7.92 ac.)
- City of Suffolk / Isle of Wight Boundary
- Roads



Date: 4/13/26
Drawn By: TS

VGIN, Microsoft, Vantix



MYRTLE MITIGATION BANK & ECOLOGICAL RESTORATION PROJECT

Lat: 36.738618°
Long: -76.760369°

CUP Project Area Map

