City Council Staff Report

Subject: Brief of Planning Commission Items to City Council

Author: Patrick A. Duhaney, City Manager

Department: Planning & Community Development

Date: November 20, 2026

Type of Item: Informational

Summary

- On Tuesday, November 24, staff will provide an overview of the applications to be considered at the December 8, 2026 City Council meeting.
- There are 11 items scheduled for December 8, 2026, including a Change in Nonconformity, Modification of Conditions, Conditional Rezonings, Conditional Use Permits, Alternative Compliances, and Ordinances. All items are recommended for approval by Staff and the Planning Commission.

Should you have any additional questions or concerns please contact Deputy City Manager, Amanda Jarratt at ajarratt@vbgov.com or Director of Planning & Community Development, Kathy Walsh at kmwalsh@vbgov.com or 757-385-5802.

Attachments (1)

- Glimpse Briefing







PLANNING ITEMS

December 8th CITY COUNCIL MEETING

November 24, 2026

CITY OF VIRGINIA BEACH

SUMMARY – December 8th

11 Planning Items Scheduled for City Council's Consideration

ITEM 1: Batten University

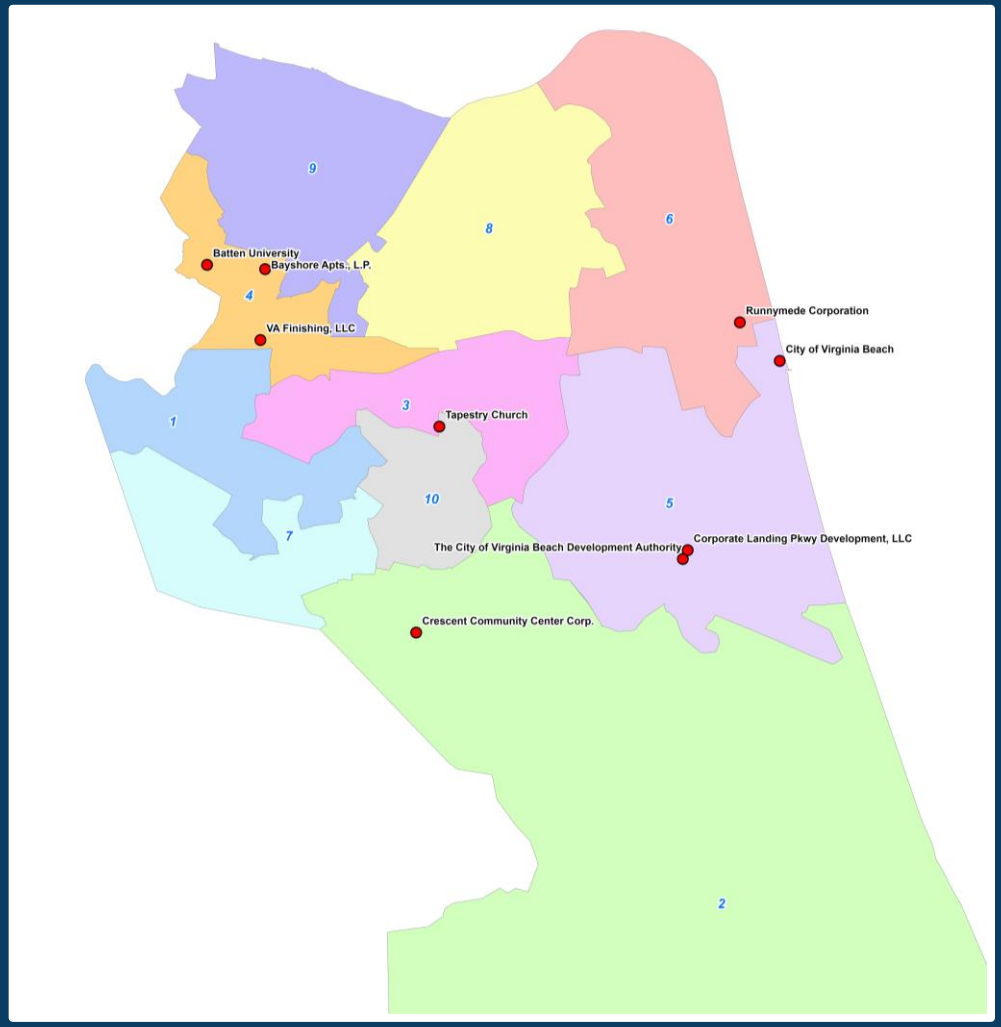
- Change in Nonconformity
- Modification of Conditions
- Recommended for Approval by Planning Commission & Staff

ITEM 2: Crescent Community Center Corp.

- Modification of Conditions
- Recommended for Approval by Planning Commission & Staff

ITEM 3: Corporate Landing Pkwy Development, LLC

- Modification of Proffers
- Conditional Use Permit (Bulk Storage Yard)
- Recommended for Approval by Planning Commission & Staff



SUMMARY – December 8th

ITEM 4: Bayshore Apts., L.P.

- Conditional Rezoning (R-7.5 Residential District to Conditional A-24 Apartment District)
- Recommended for Approval by Planning Commission & Staff

ITEM 5: The City of Virginia Beach Development Authority

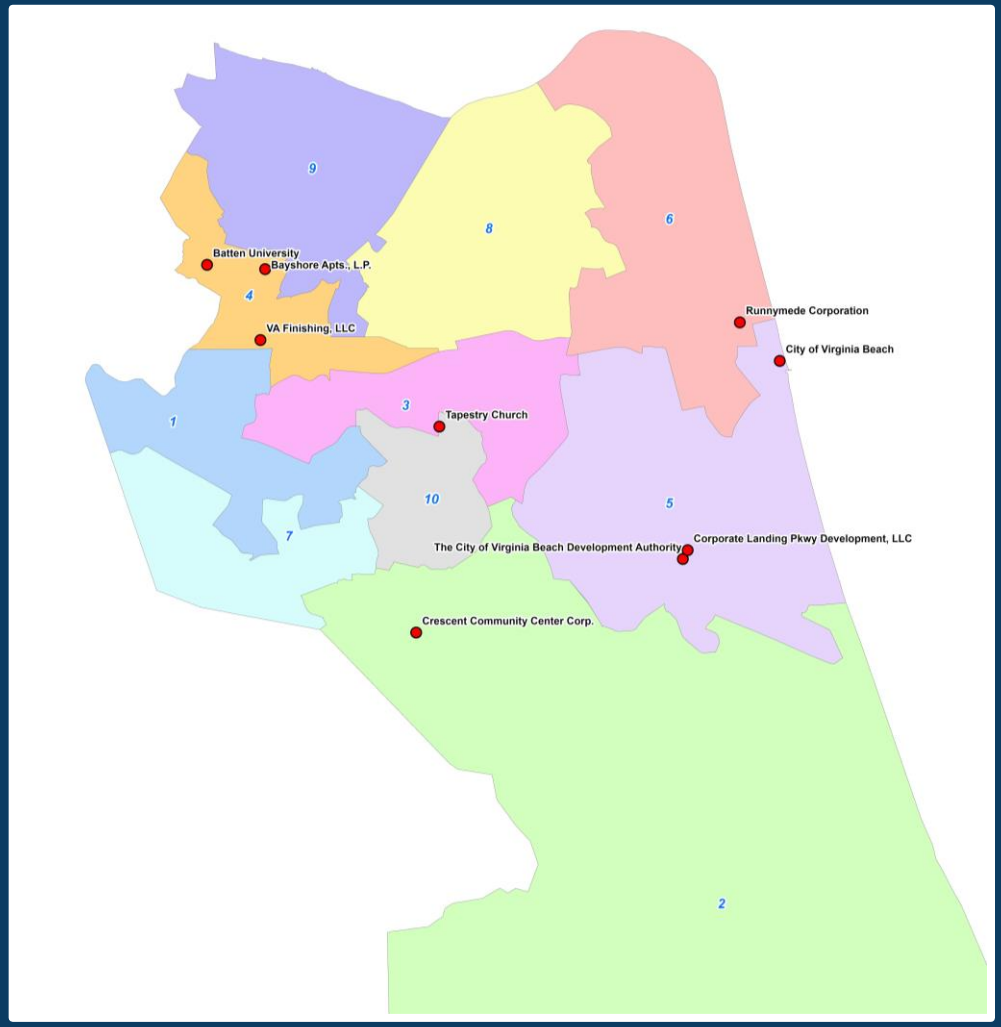
- Conditional Rezoning (B-2 Community Business District & Conditional I-1 Light Industrial District to Conditional I-1 Light Industrial District)
- Recommended for Approval by Planning Commission & Staff

ITEM 6: VA Finishing, LLC

- Conditional Use Permit (Automotive Repair Garage)
- Recommended for Approval by Planning Commission & Staff

ITEM 7: Tapestry Church

- Conditional Use Permit (Eating & Drinking Establishment)
- Recommended for Approval by Planning Commission & Staff



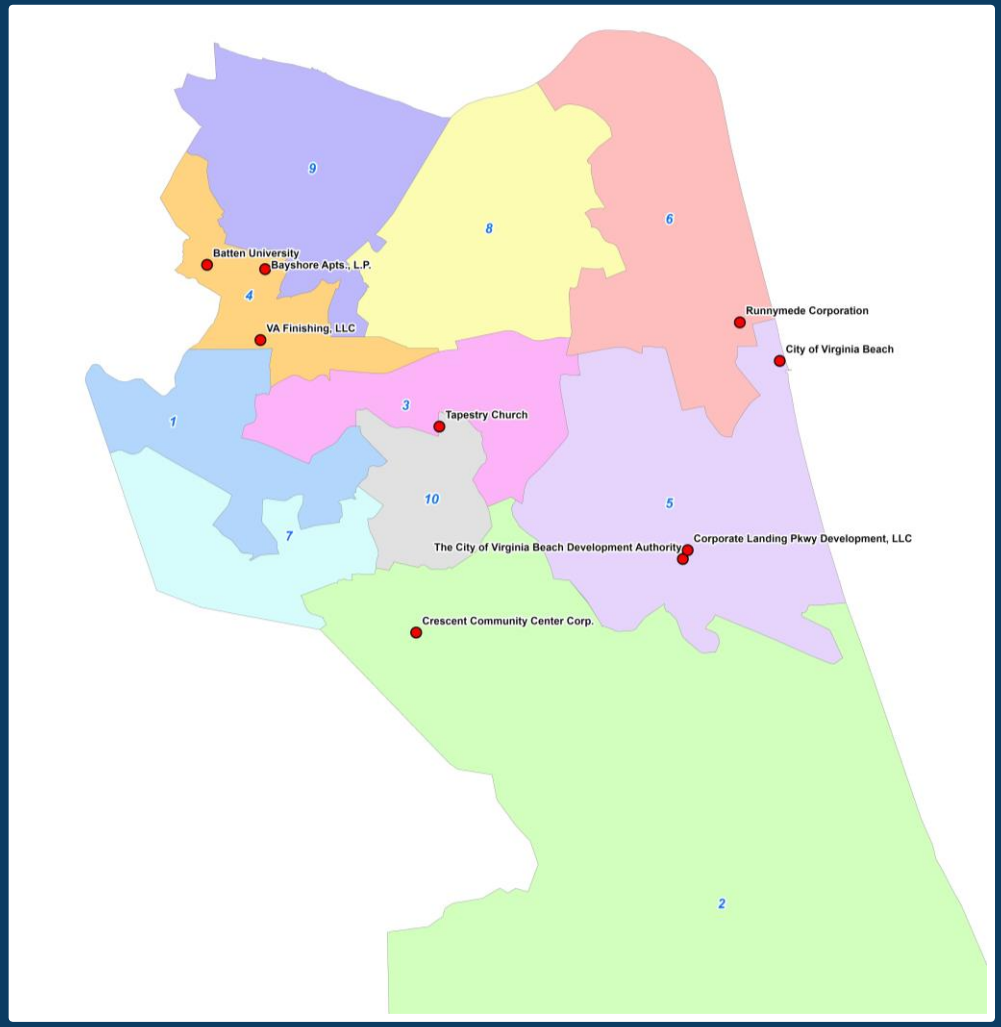
SUMMARY – December 8th

ITEM 8: City of Virginia Beach
- Alternative Compliance
- Recommended for Approval by Planning Commission & Staff

ITEM 9: Runnymede Corporation
- Alternative Compliance
- Recommended for Approval by Planning Commission & Staff

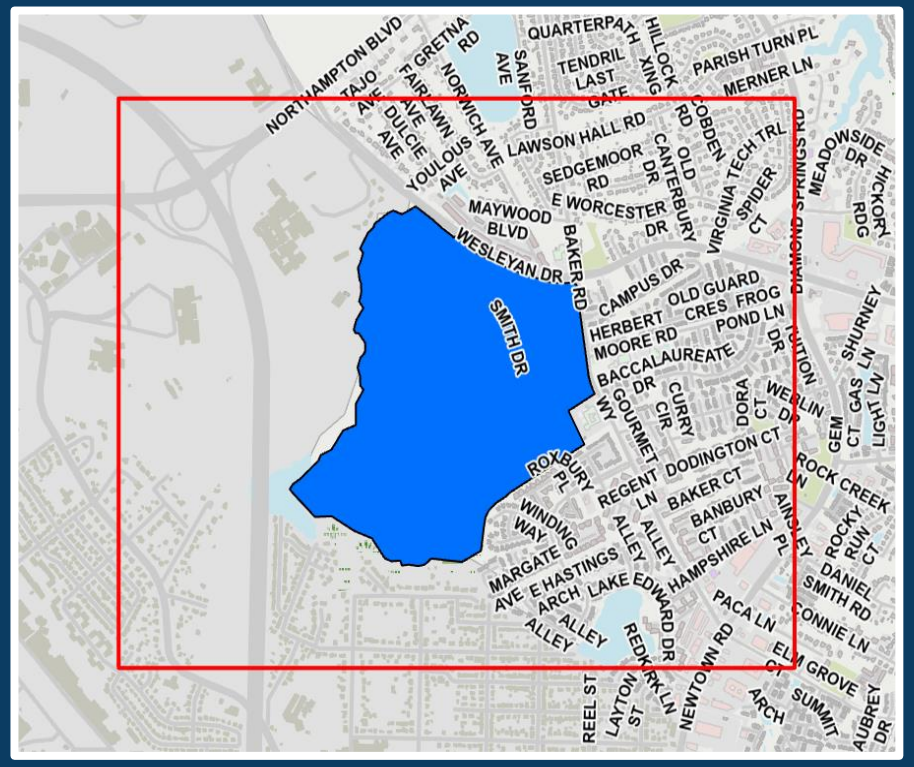
ITEM 10: City of Virginia Beach
- Ordinance
- Recommended for Approval by Planning Commission & Staff

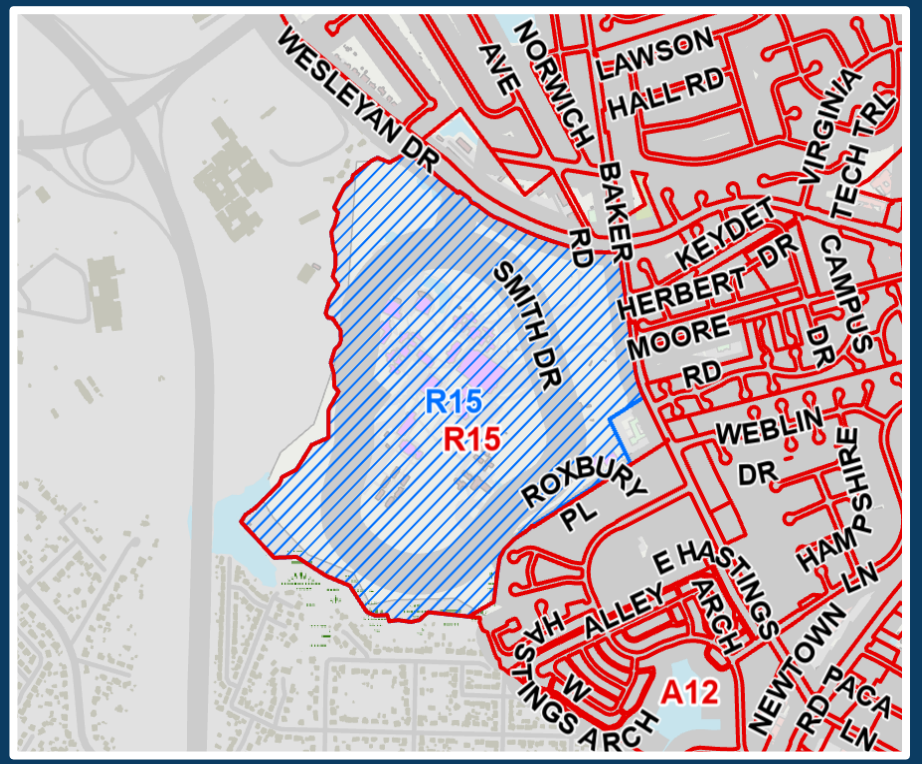
ITEM 11: City of Virginia Beach
- Ordinance
- Recommended for Approval by Planning Commission & Staff



ITEM 1 – BATTEN UNIVERSITY

City Council: District 4 (Ross-Hammond)
Location: 5817 Wesleyan Drive
Planning Commission Hearing Date – November 12, 2026



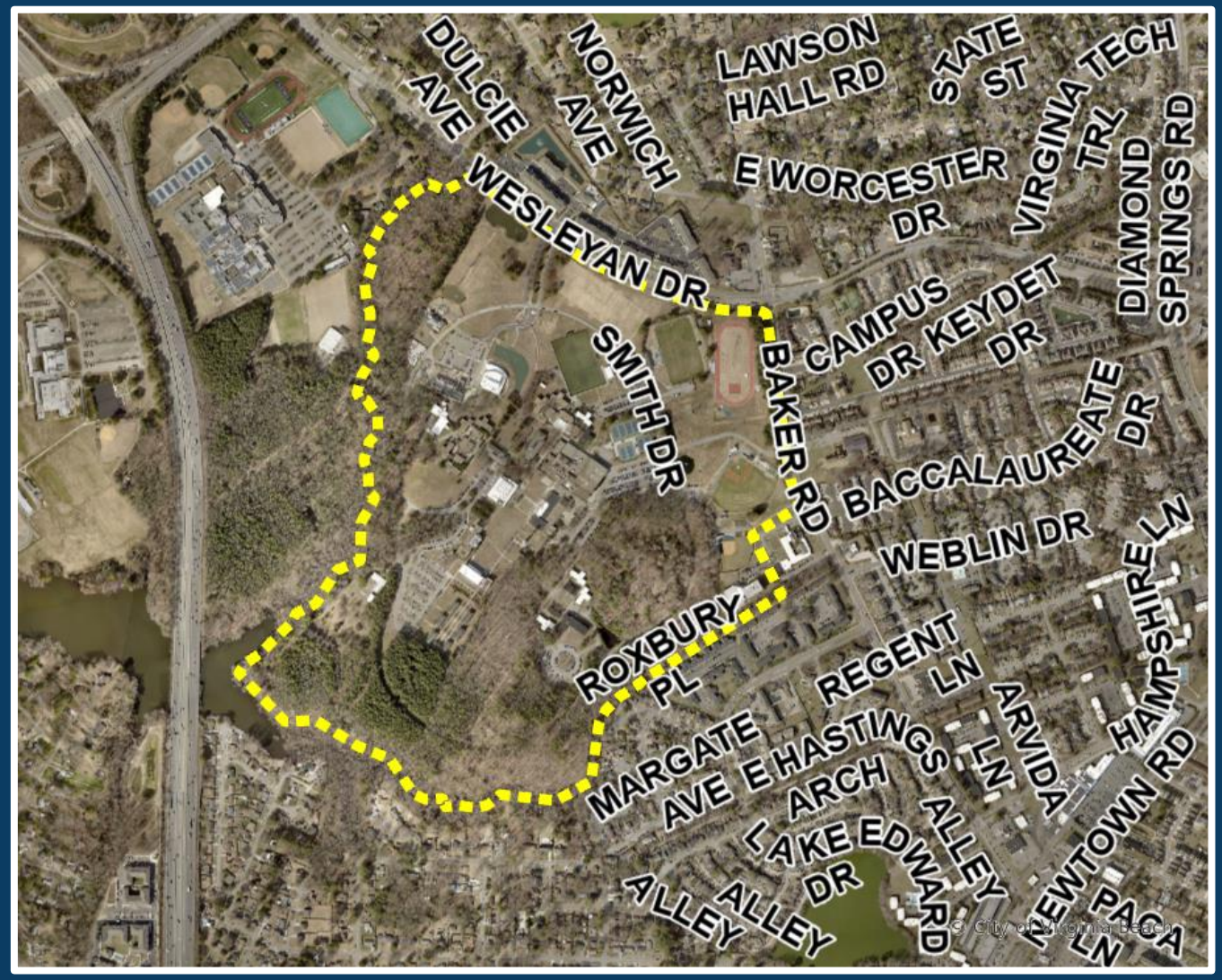


CHANGE IN NONCONFORMITY
MODIFICATION OF CONDITIONS

Staff Recommends Approval

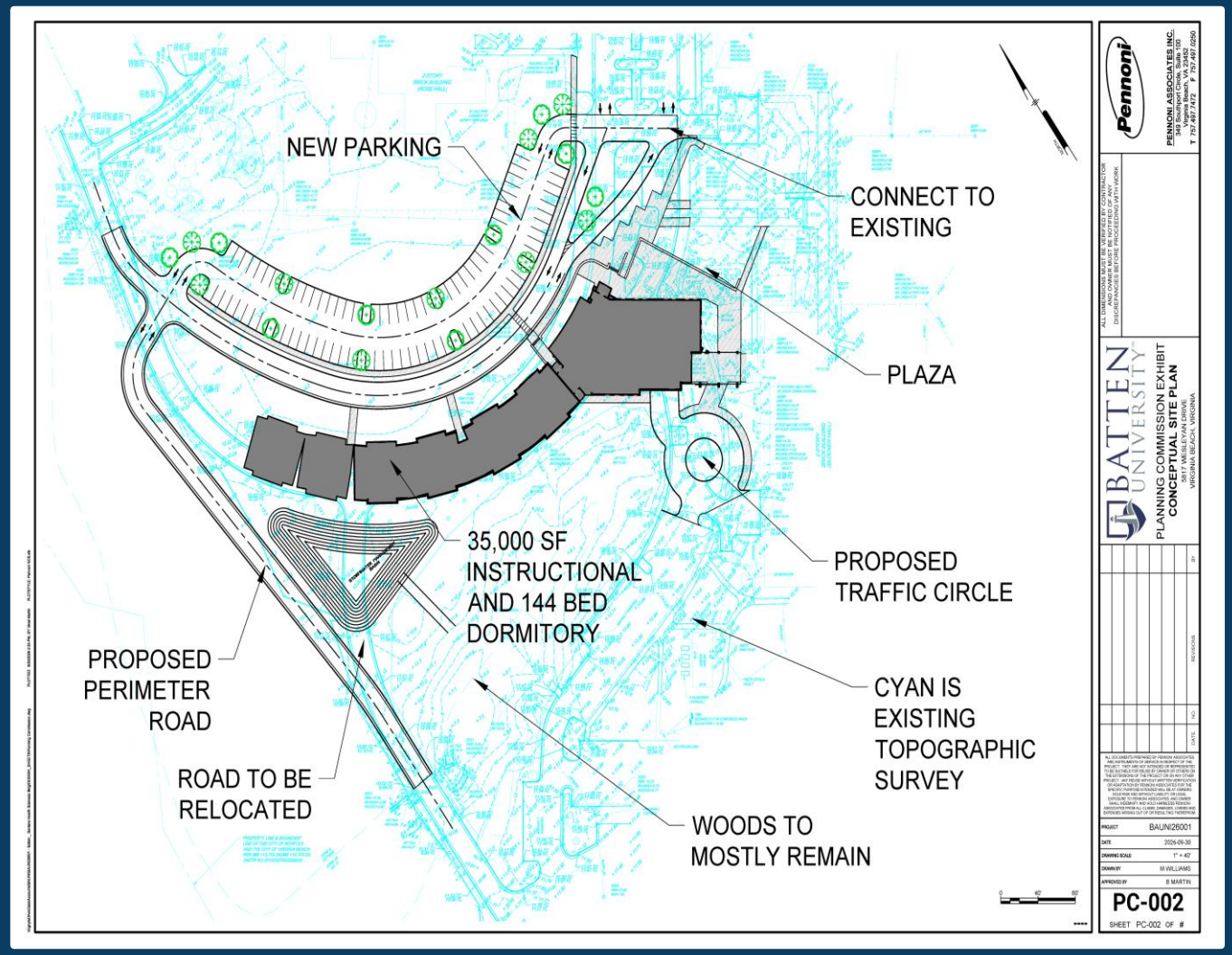
Planning Commission voted 10 to 0 to recommend Approval

ITEM 1 – BATTEN UNIVERSITY



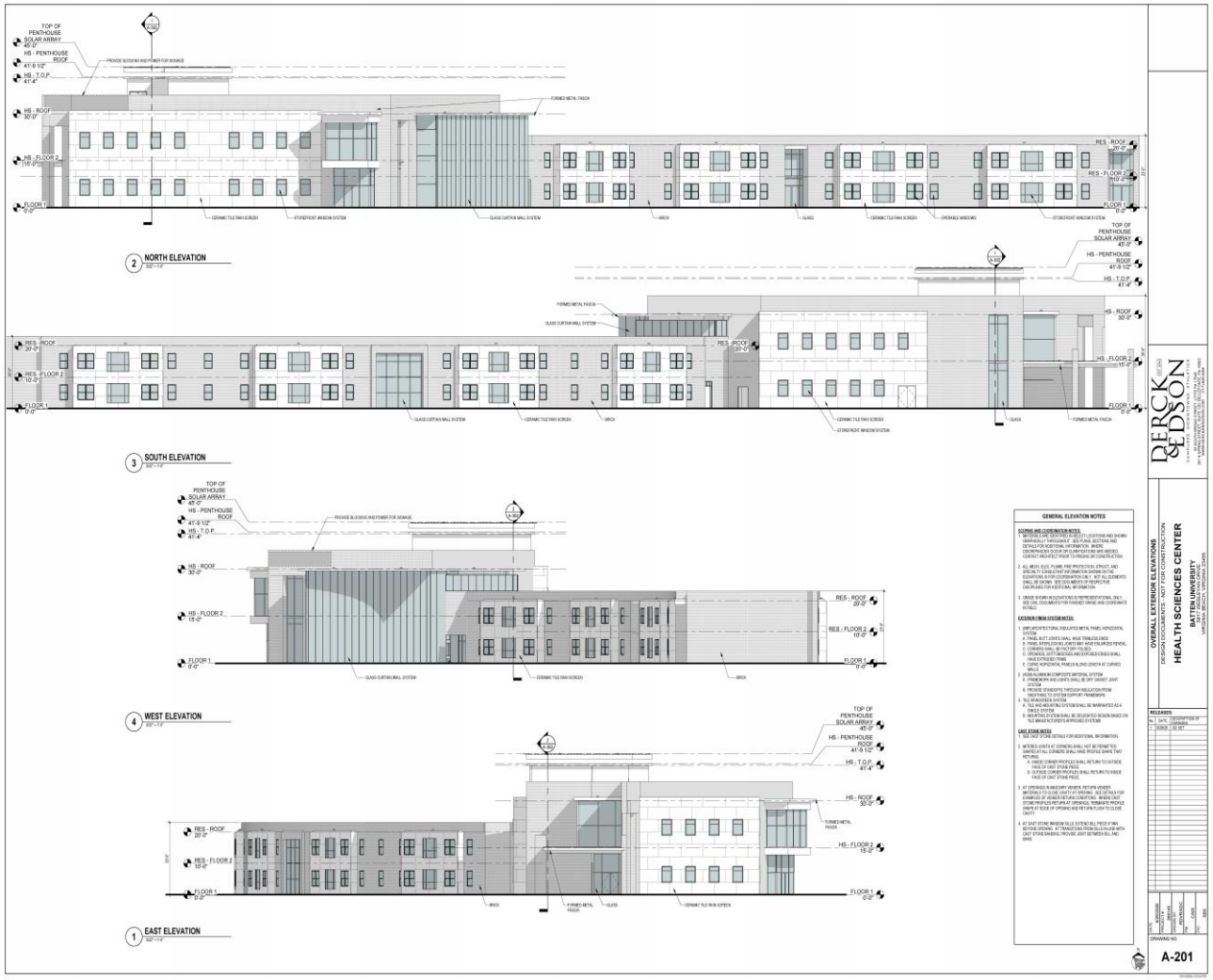
- Batten University, a private university, has operated on the site since 1959, before the adoption of the current Zoning Ordinance
- Considered a legally nonconforming use
- A Conditional Use Permit for Student Dormitories was granted in 2007
- Two Requests:
  - Change in Nonconformity: to construct a health sciences building
  - Modification of Conditions: to construct a 144-bed dormitory

ITEM 1 – BATTEN UNIVERSITY



- Request to construct a health science building and 144-bed dormitory
- 88 new parking spaces proposed to support both uses
- Location and final number of required bicycle parking spaces to be addressed during site plan (Condition 5)

ITEM 1 – BATTEN UNIVERSITY



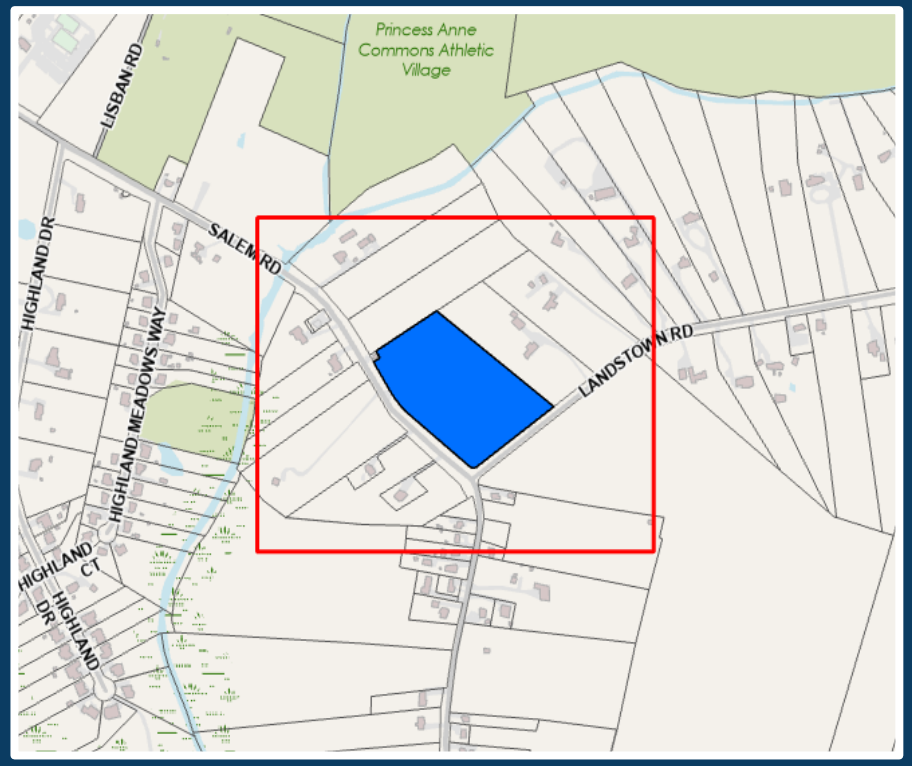
- Height deviation requested:
  - Maximum building height in the R-15 Residential District is 35 feet, tallest point of proposed building is 45 feet
- Planning Commission recommended revision to lighting condition
- No known opposition

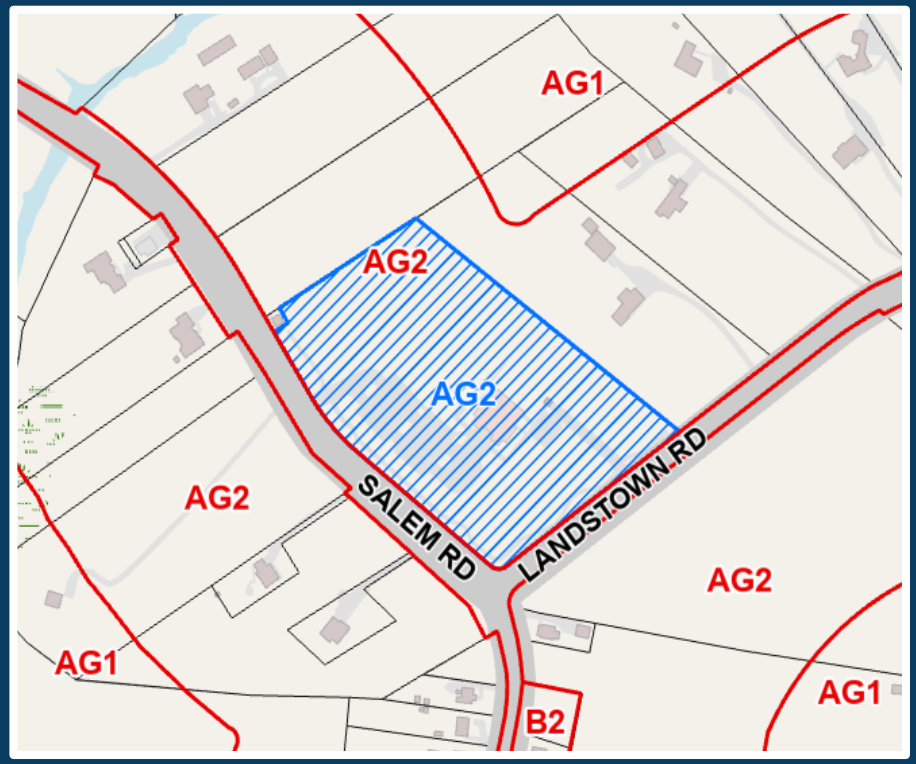
ITEM 2 – CRESCENT COMMUNITY CENTER CORP.

City Council: District 2 (Henley)

Location: 2480 Salem Road

Planning Commission Hearing Date – October 14, 2026





MODIFICATION OF CONDITIONS

Staff Recommends <u>Approval</u>

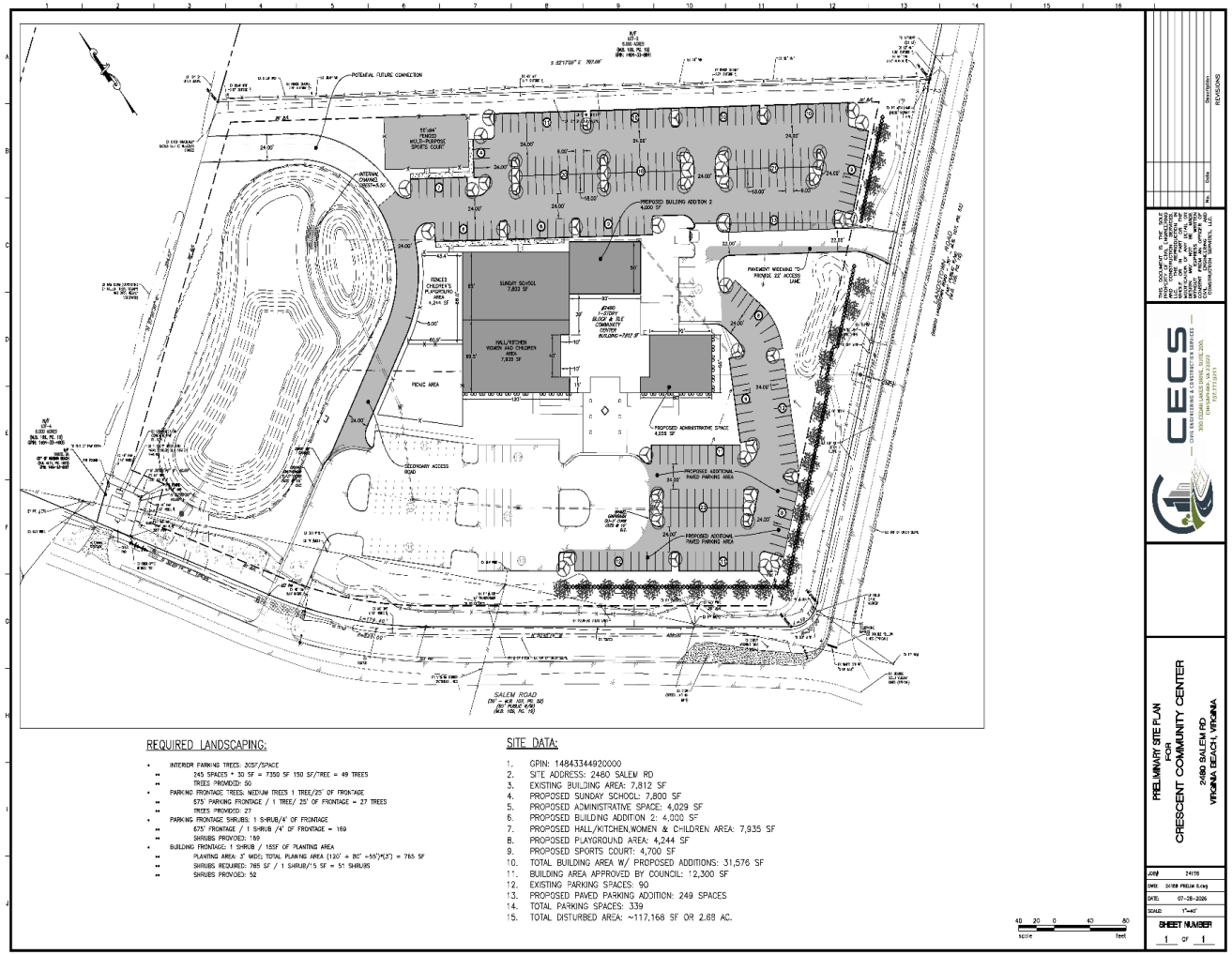
Planning Commission voted 10 to 0 to recommend <u>Approval</u>

ITEM 2 – CRESCENT COMMUNITY CENTER CORP.



- A Conditional Use Permit for a Religious Use was granted in 2013
- Crescent Community Center has operated on this site since 2020
- Request for a Modification of Conditions to modify the previously approved concept plan and building elevations
- Site is located within the Interfacility Traffic Area

ITEM 2 – CRESCENT COMMUNITY CENTER CORP.



- Proposed improvements include:
  - 7,800-square-foot Sunday school area
  - 7,935-square-foot family social hall and kitchen area
  - 4,000-square-foot sanctuary addition
  - 4,029-square-foot administrative space addition
  - 4,244-square-foot fenced-in children's playground
  - 4,700-square-foot multi-purpose sports court
  - 249 new parking spaces

ITEM 2 – CRESCENT COMMUNITY CENTER CORP.



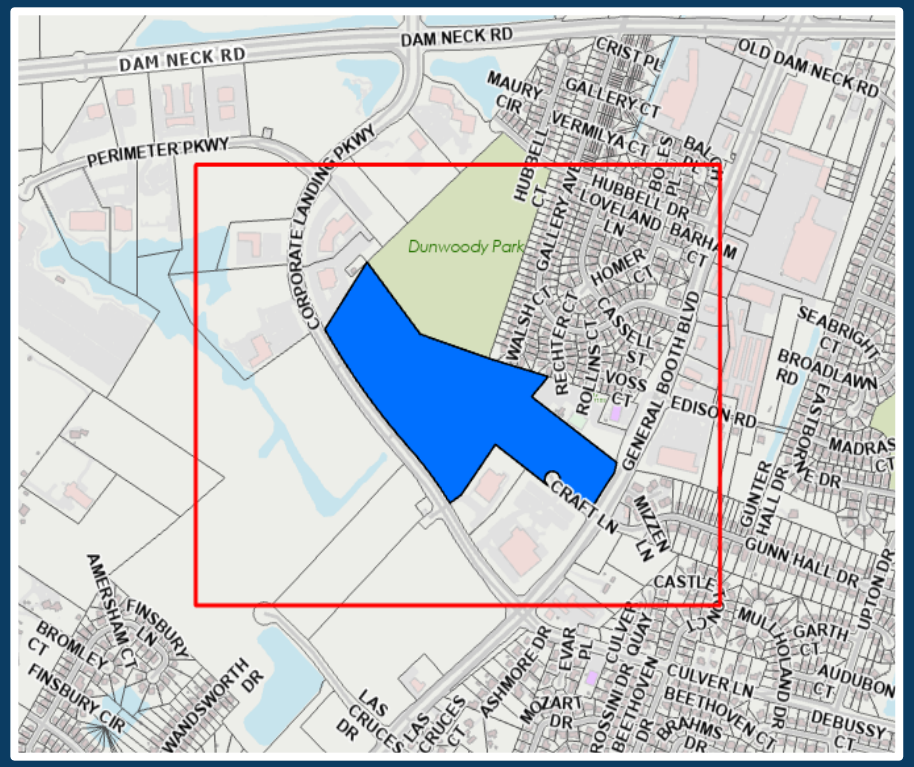
- Additions will match architecture, materials, colors, and height of existing building
- Parking requirement met and exceeded on site
- Proposal received unanimous support from the Transition Area/Interfacility Traffic Area Citizens' Advisory Committee
- No known opposition

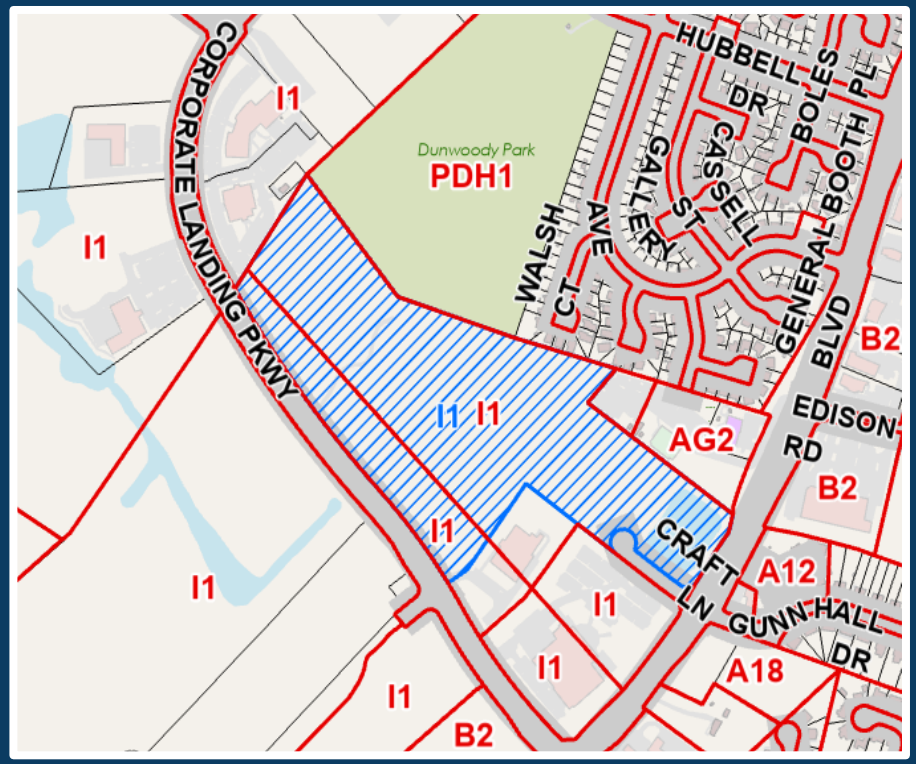
ITEM 3 – CORPORATE LANDING PKWY DEVELOPMENT, LLC

City Council: District 5 (Wilson)

Location: Parcel directly north of 1900 Corporate Landing Parkway

Planning Commission Hearing Date – October 14, 2026





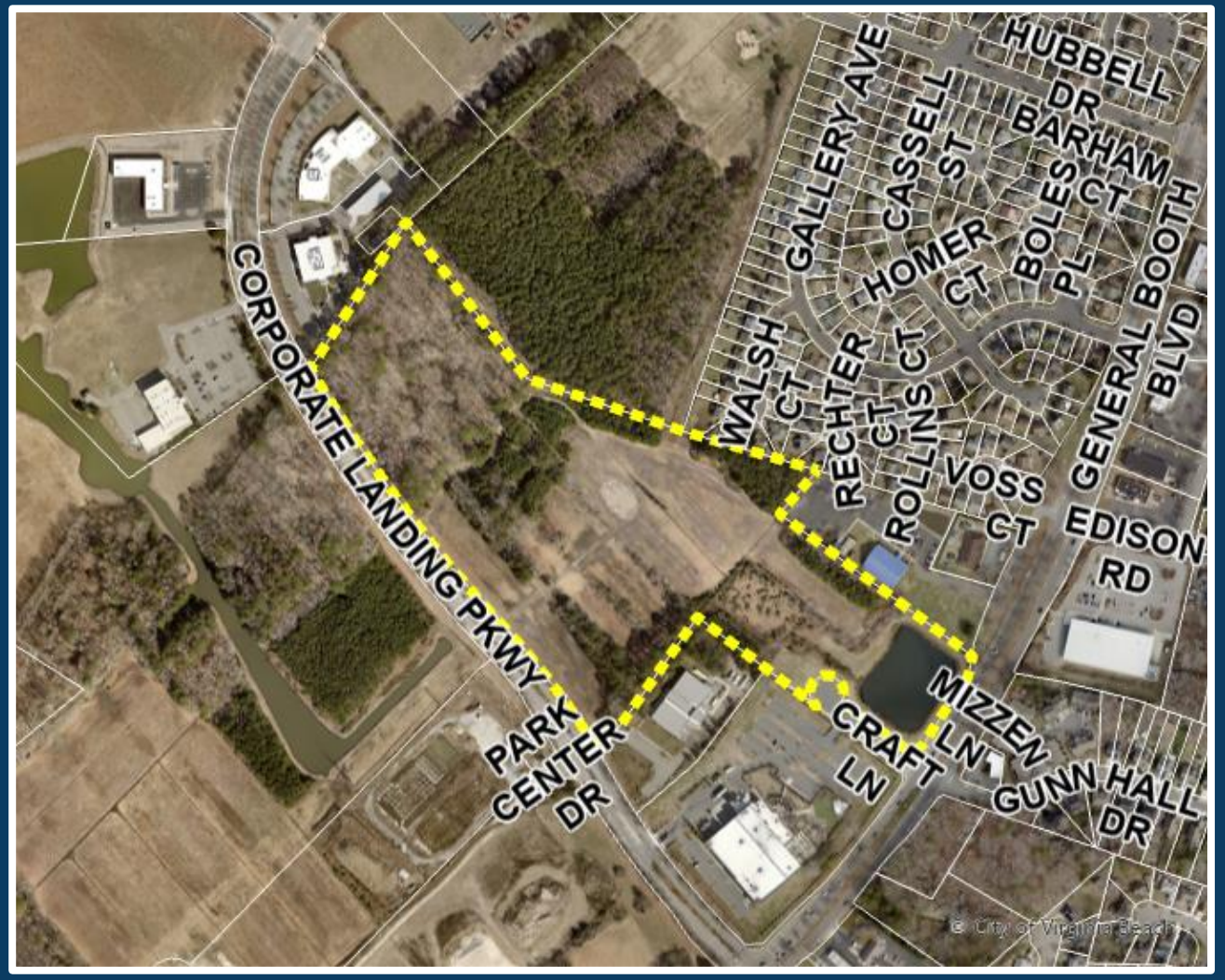
MODIFICATION OF PROFFERS

CONDITIONAL USE PERMIT (Bulk Storage Yard)

Staff Recommends <u>Approval</u>

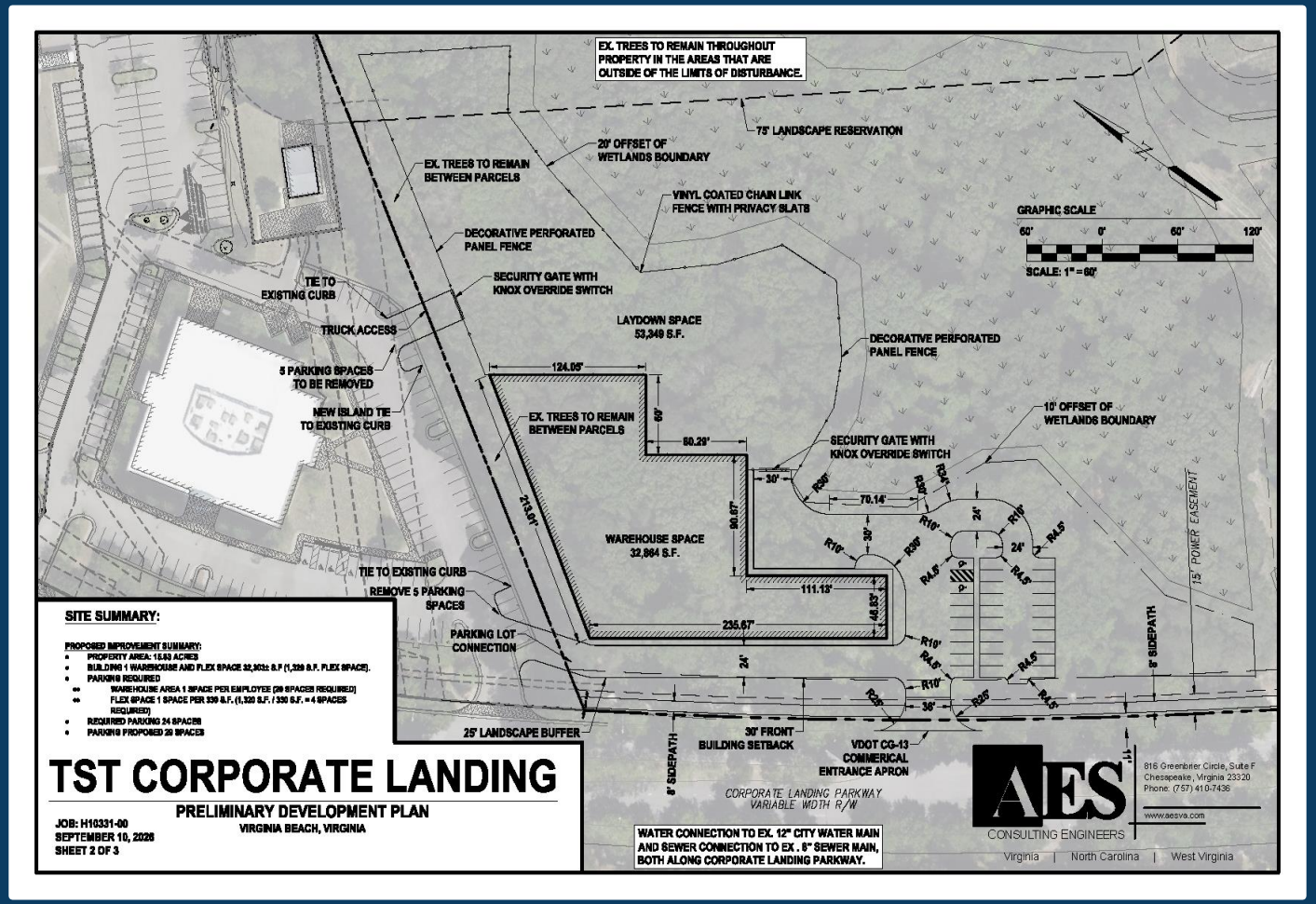
Planning Commission voted 10 to 0 to recommend <u>Approval</u>

ITEM 3– CORPORATE LANDING PKWY DEVELOPMENT, LLC



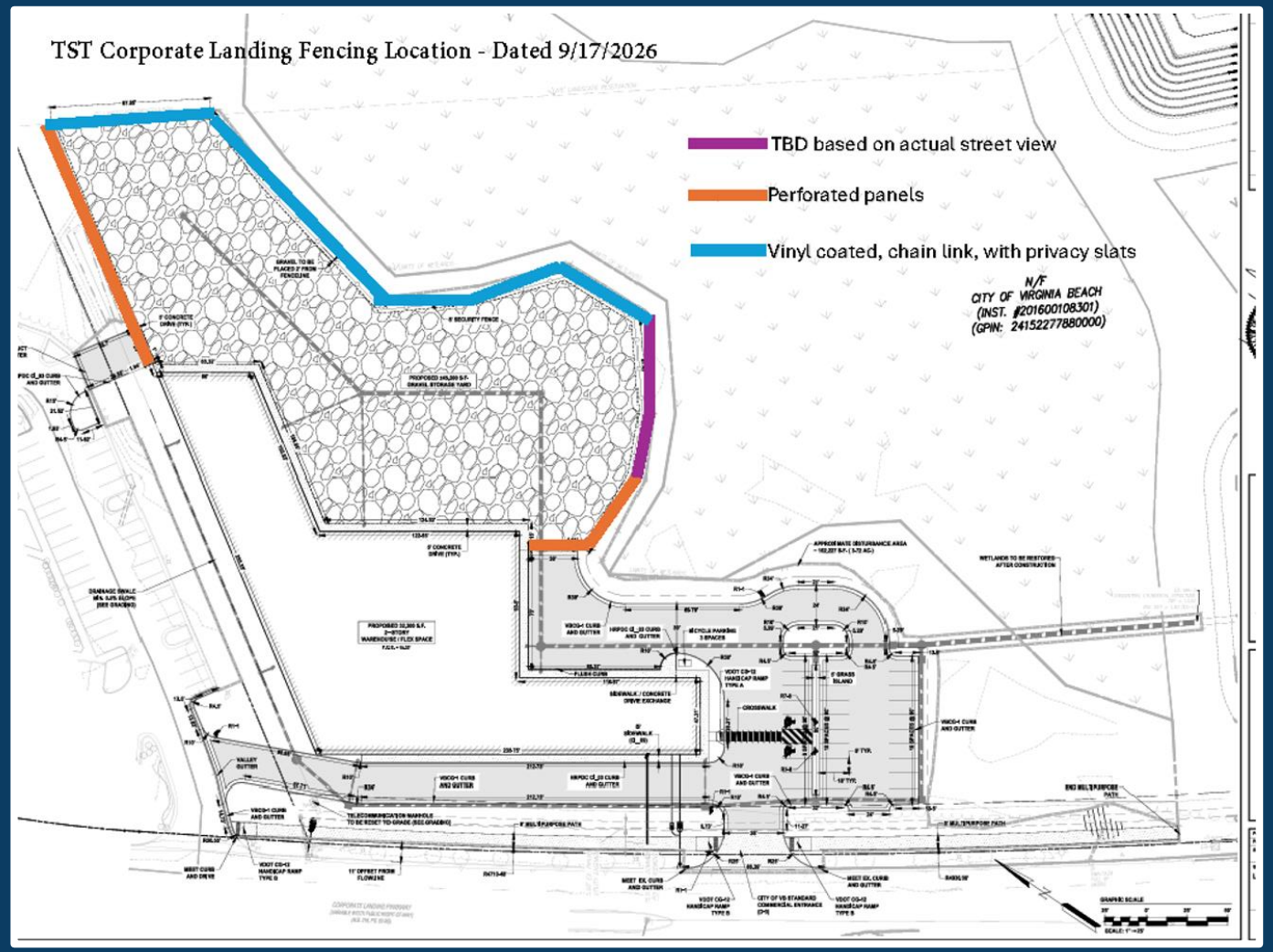
- Deferred at the November 17, 2026, City Council Hearing
- Two Requests:
  - Modification of Proffers
  - Conditional Use Permit for a Bulk Storage Yard
- Site is located within the Special Economic Growth Area (SEGA) 3-South Oceana, the >75 dB noise zone, and the Corporate Landing Business Park
- Bulk storage yard is considered a compatible use within the noise zone

ITEM 3 – CORPORATE LANDING PKWY DEVELOPMENT, LLC



- The 2021 proffers prohibited exterior storage except for permanent facility construction
- Applicant seeks to construct a 33,000-square-foot warehouse building on a portion of the site, with an outdoor storage yard for the storage of construction materials, roofing supplies, tools, equipment, vehicles, trailers, and other contractor-related items

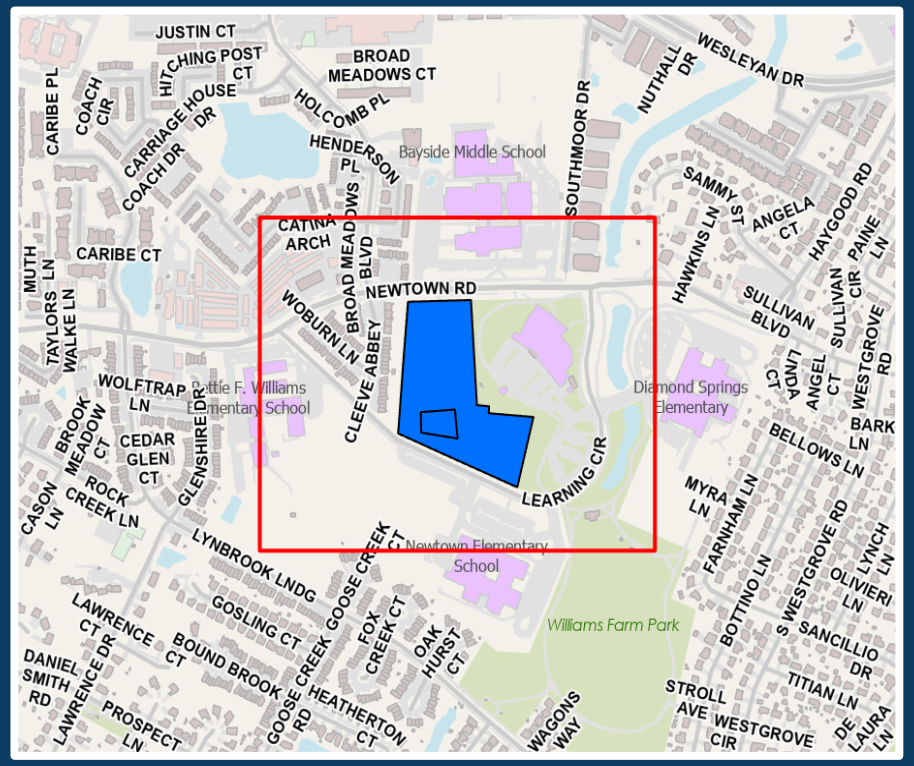
ITEM 3 – CORPORATE LANDING PKWY DEVELOPMENT, LLC

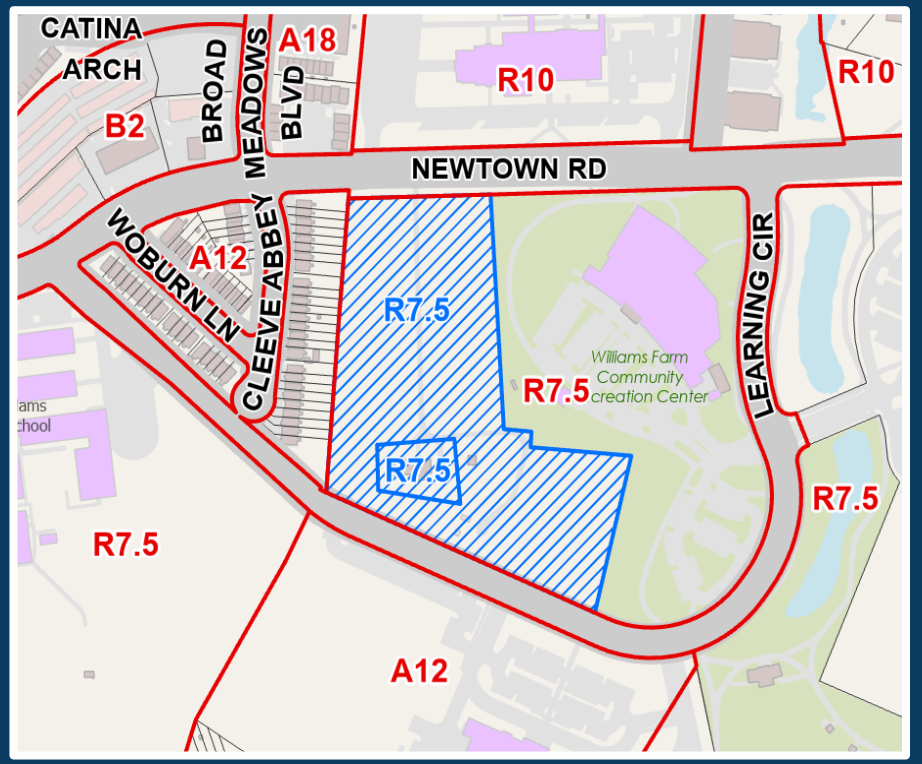


- Deviation requested from required fencing:
  - Category I plantings and solid fence required around perimeter of Bulk Storage Yard, requesting deviation to the installation of a solid fence
  - An 8-foot-tall decorative, perforated metal fence along the northwest and southeast perimeter and an 8-foot-tall black vinyl-coated chain-link fence with privacy slats along the east perimeter
- Presented to the VBDA on September 8, 2026, and received unanimous support
- 2 speakers in opposition
  - Citing concerns relating to the use of the site for bulk storage, visual impact, and fencing

ITEM 4 – BAYSHORE APTS., L.P.

City Council: District 4 (Ross-Hammond)
Location: 948 & 952 Newtown Road
Planning Commission Hearing Date – November 12, 2026





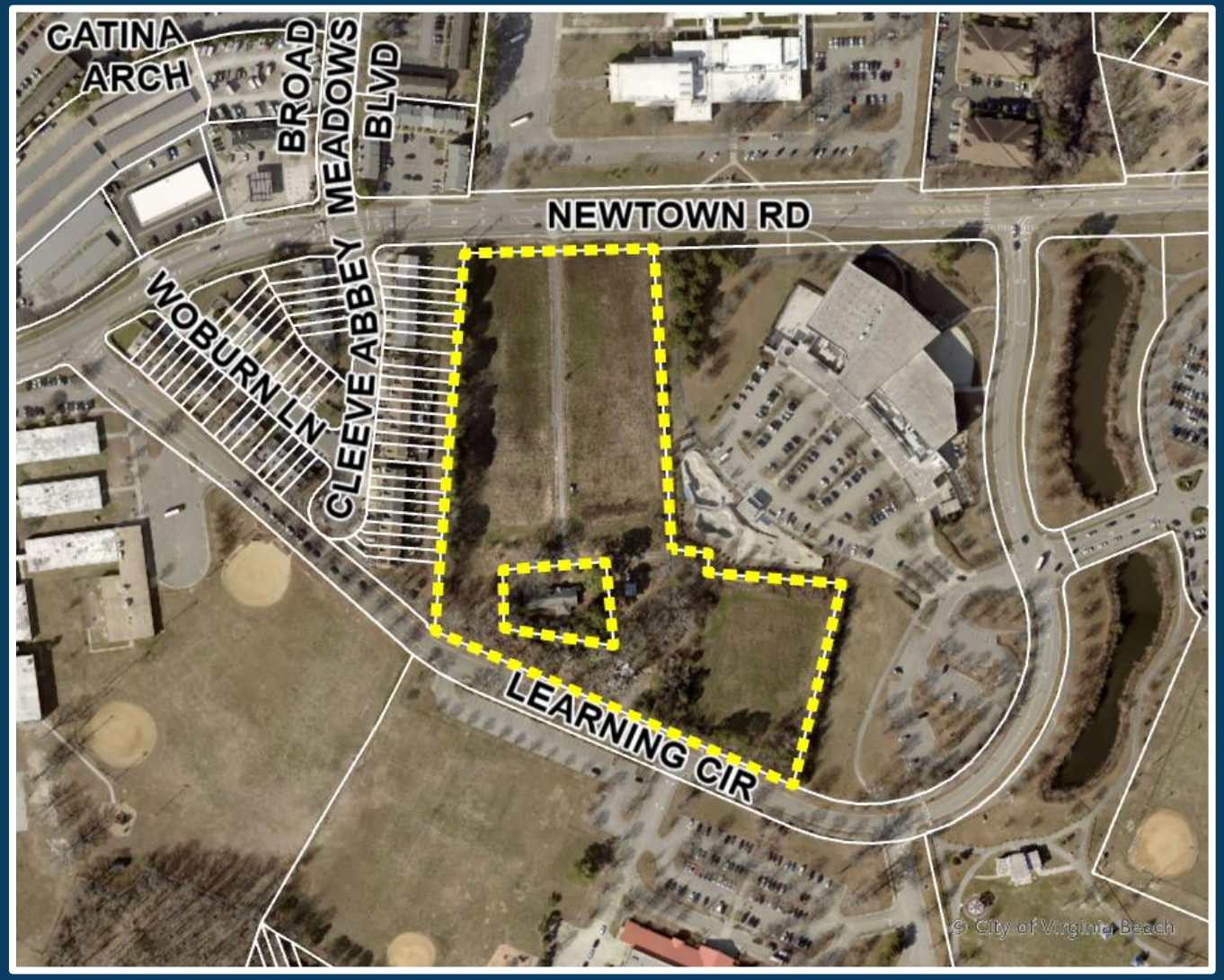
CONDITIONAL REZONING

(R-7.5 Residential District to Conditional A-24 Apartment District)

Staff Recommends <u>Approval</u>

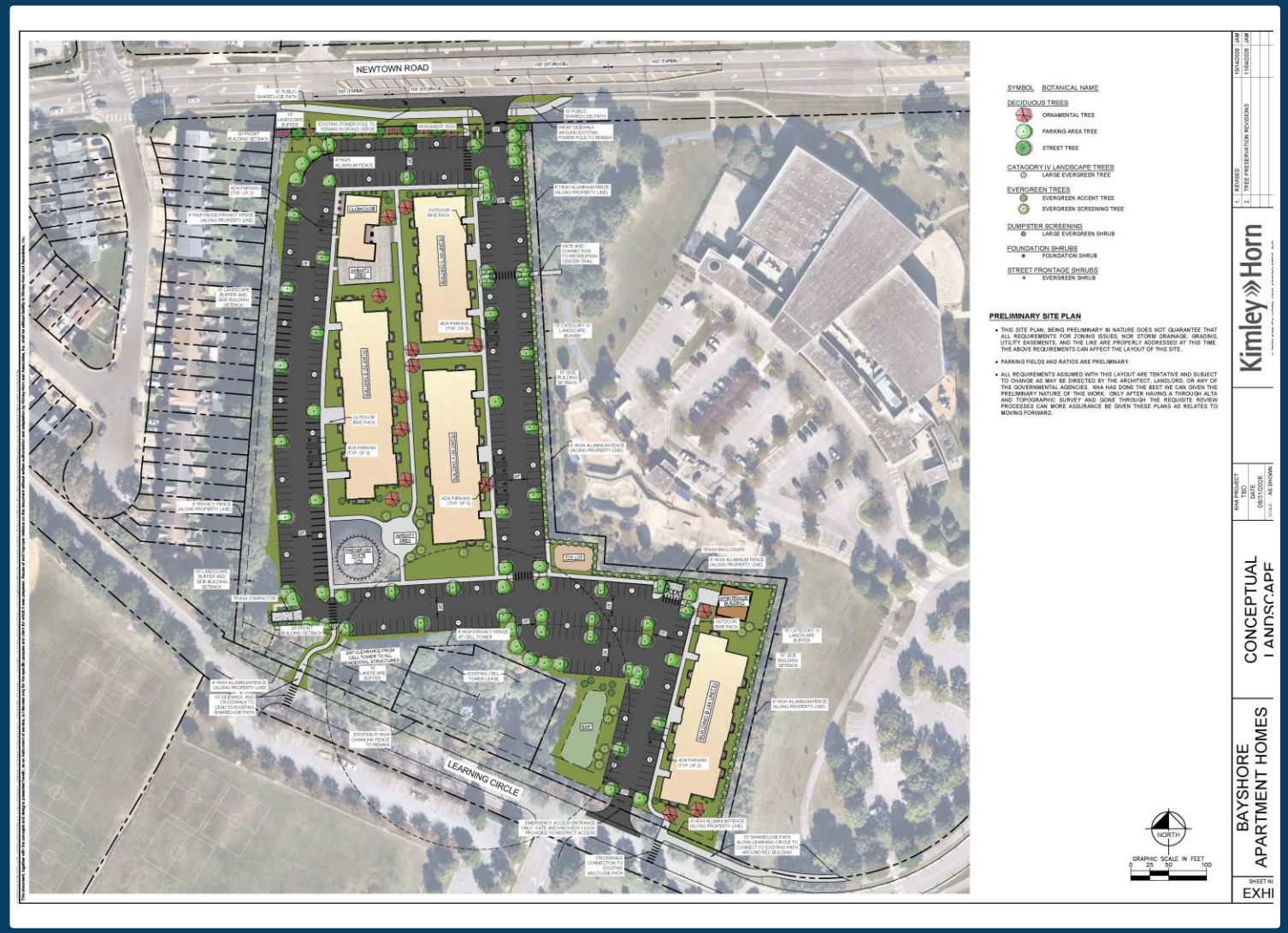
Planning Commission voted 10 to 0 to recommend <u>Approval</u>

ITEM 4 – BAYSHORE APTS., L.P.



- Request for a Conditional Rezoning from R-7.5 Residential to Conditional A-24 Apartment District
- Proposed 184-unit multifamily development; 20.44 units per acre
- Rents for the units will be consistent with affordability standards for workforce housing in Virginia Beach; Workforce Housing Overlay is not proposed

ITEM 4 – BAYSHORE APTS., L.P.



- Proposed redevelopment includes:
  - Four 4-story multi-family residential buildings
  - 1-story clubhouse will include fitness facility and mail room
  - Outdoor amenity space and a tot lot playground
- Parking:
  - 335 parking spaces required; 361 provided
  - 12 bicycle parking spaces required and provided

ITEM 4 – BAYSHORE APTS., L.P.



- Existing vegetation along the south and west property lines to remain
- Landscape improvements:
  - 10-foot-wide vegetated buffer with Category IV landscaping along the north, south, and west property lines
  - 15-foot-wide vegetated buffer with Category IV landscaping along the east property line

ITEMS 4 – BAYSHORE APTS., L.P.

AS SUBMITTED



REVISED



- Proposed concept plan revised after Planning Commission to allow for the preservation of an existing approximately 275-year-old White Oak

ITEM 4 – BAYSHORE APTS., L.P.



- Pedestrian improvements:
  - 10-foot-wide shared use path along Newtown Road
  - 10-foot-wide shared use path connection along Learning Circle to connect to the existing shared use path along the Williams Farm Community Recreation Center with a crosswalk connection to the existing multi-use path across Learning Circle
  - Connection to the adjacent Williams Farm Community Recreation Center trails with a gate

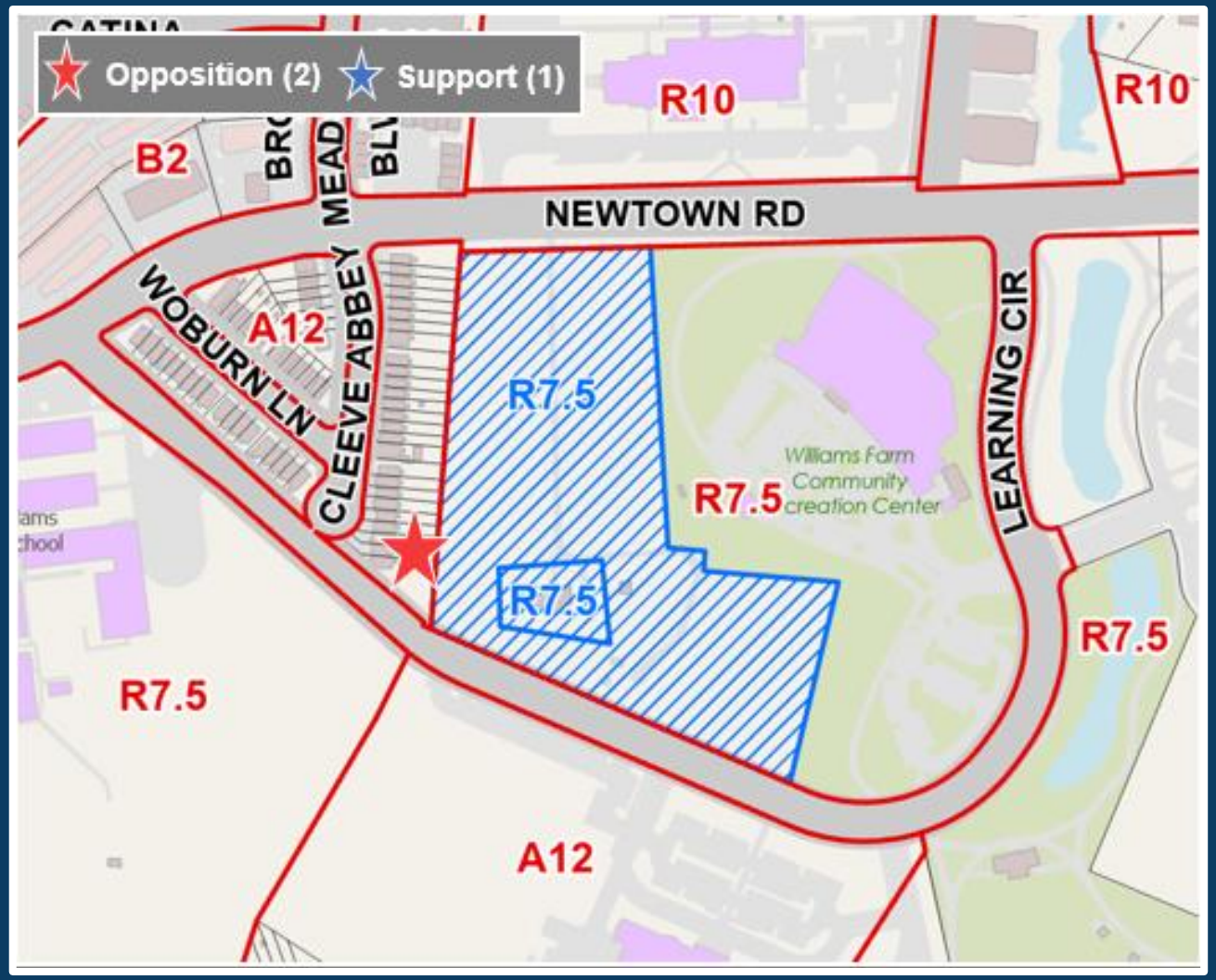
ITEM 4 – BAYSHORE APTS., L.P.





- Height deviation requested:
  - Maximum building height in the A-24 Apartment District is 45 feet, tallest point of the residential building is 49 feet, 8 inches
- Materials will consist of fiber cement panel siding, brick veneer, fiber cement lap siding, and vinyl windows in a neutral color palette
- Monument sign proposed along Newtown Road

ITEM 4 – BAYSHORE APTS., L.P.



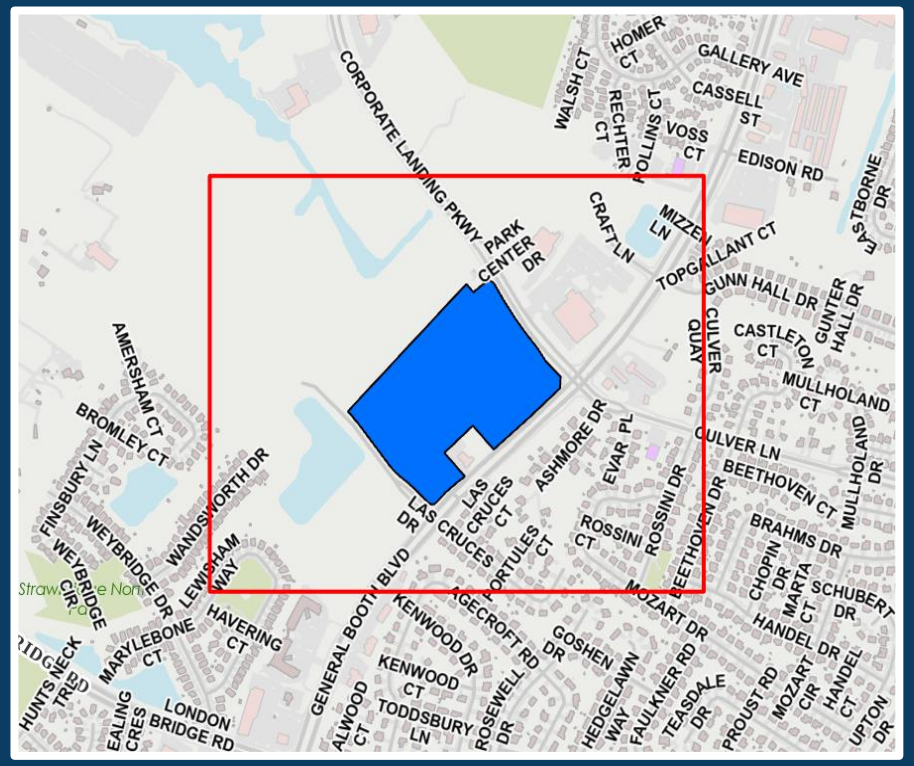
- Support:
  - 1 letter received
- Neutral:
  - 1 speaker
- Opposition
  - 2 letters received
  - 5 speakers in opposition
  - Concerns related to more affordable housing in the area, traffic, school impacts, and stormwater; desire to see the site utilized for agricultural use

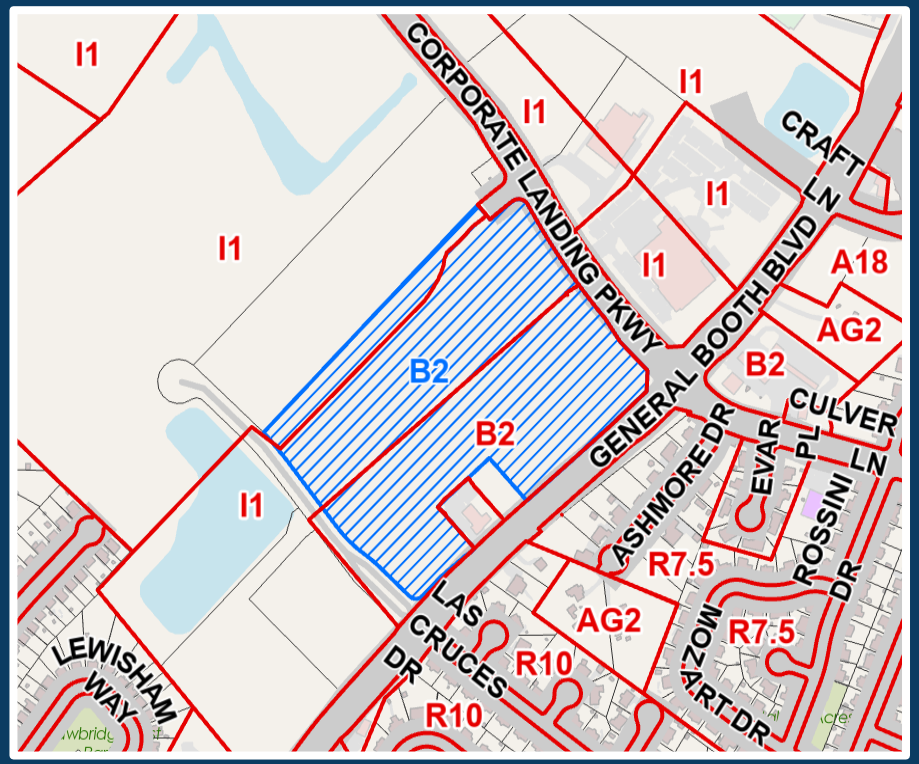
ITEM 5 – THE CITY OF VIRGINIA BEACH DEVELOPMENT AUTHORITY

City Council: District 5 (Wilson)

Location: Parcel located on the corner of Corporate Landing Parkway & General Booth Boulevard, directly west of 1941 General Booth Boulevard

Planning Commission Hearing Date – November 12, 2026





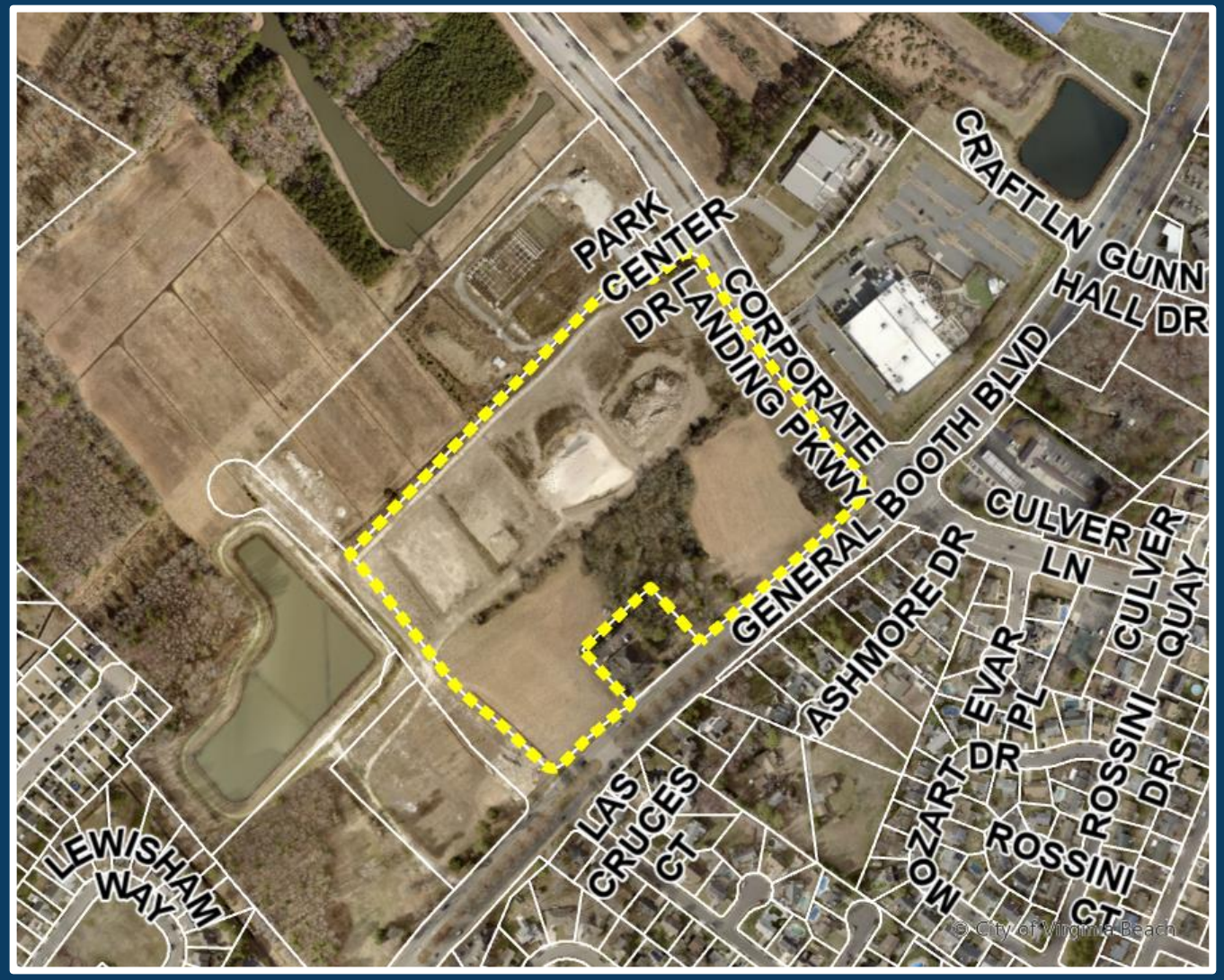
CONDITIONAL REZONING

(B-2 Community Business District & Conditional I-1 Light Industrial District to Conditional I-1 Light Industrial District)

Staff Recommends <u>Approval</u>

Planning Commission voted 6 to 3 to recommend <u>Approval</u>

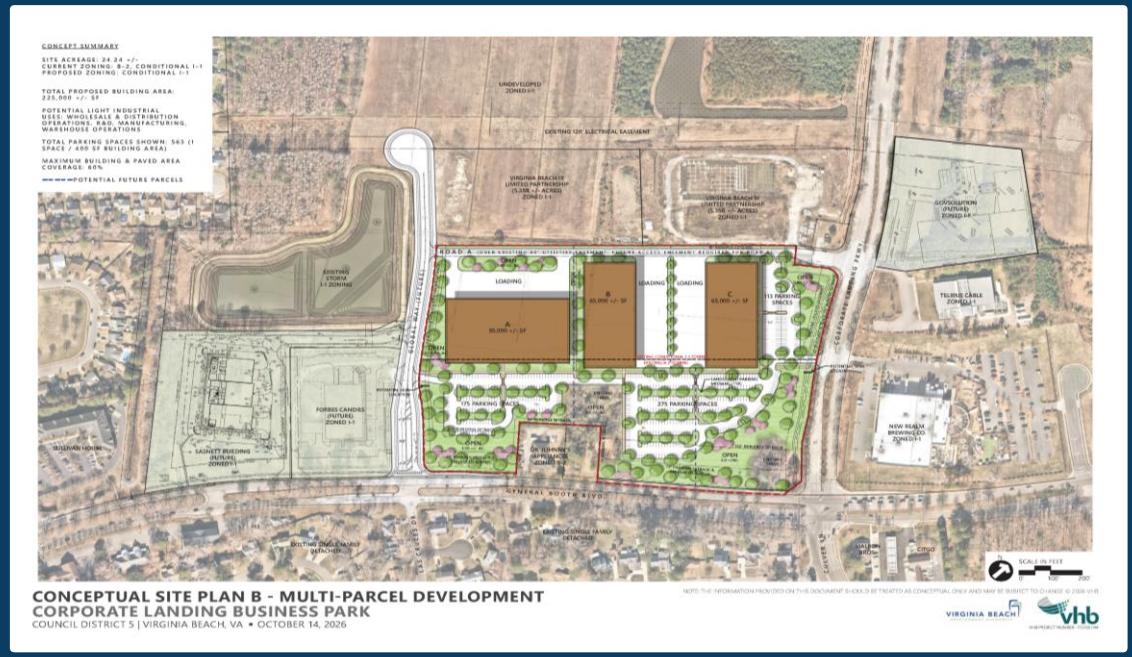
ITEM 5 – THE CITY OF VIRGINIA BEACH DEVELOPMENT AUTHORITY



- Request for a Conditional Rezoning from B-2 Community Business and Conditional I-1 Light Industrial to Conditional I-1 Light Industrial District
- 24.24-acre vacant parcel is located within the Corporate Landing Business Park, SEGA 3 – South Oceana, and within the 70–75 dB noise
- Site will accommodate 225,000-square-feet of building area
- Provides an additional pad-ready site within the region

ITEM 5 – THE CITY OF VIRGINIA BEACH DEVELOPMENT AUTHORITY





- Two Conceptual Site Plans:
  - Plan A depicts one building totaling 225,000-square feet
  - Plan B depicts three buildings, two totaling approximately 65,000 square feet each, and one totaling approximately 95,000 square feet, for a combined total of 225,000 square feet
- 150-foot building setback from General Booth Boulevard proposed

ITEM 5 – THE CITY OF VIRGINIA BEACH DEVELOPMENT AUTHORITY



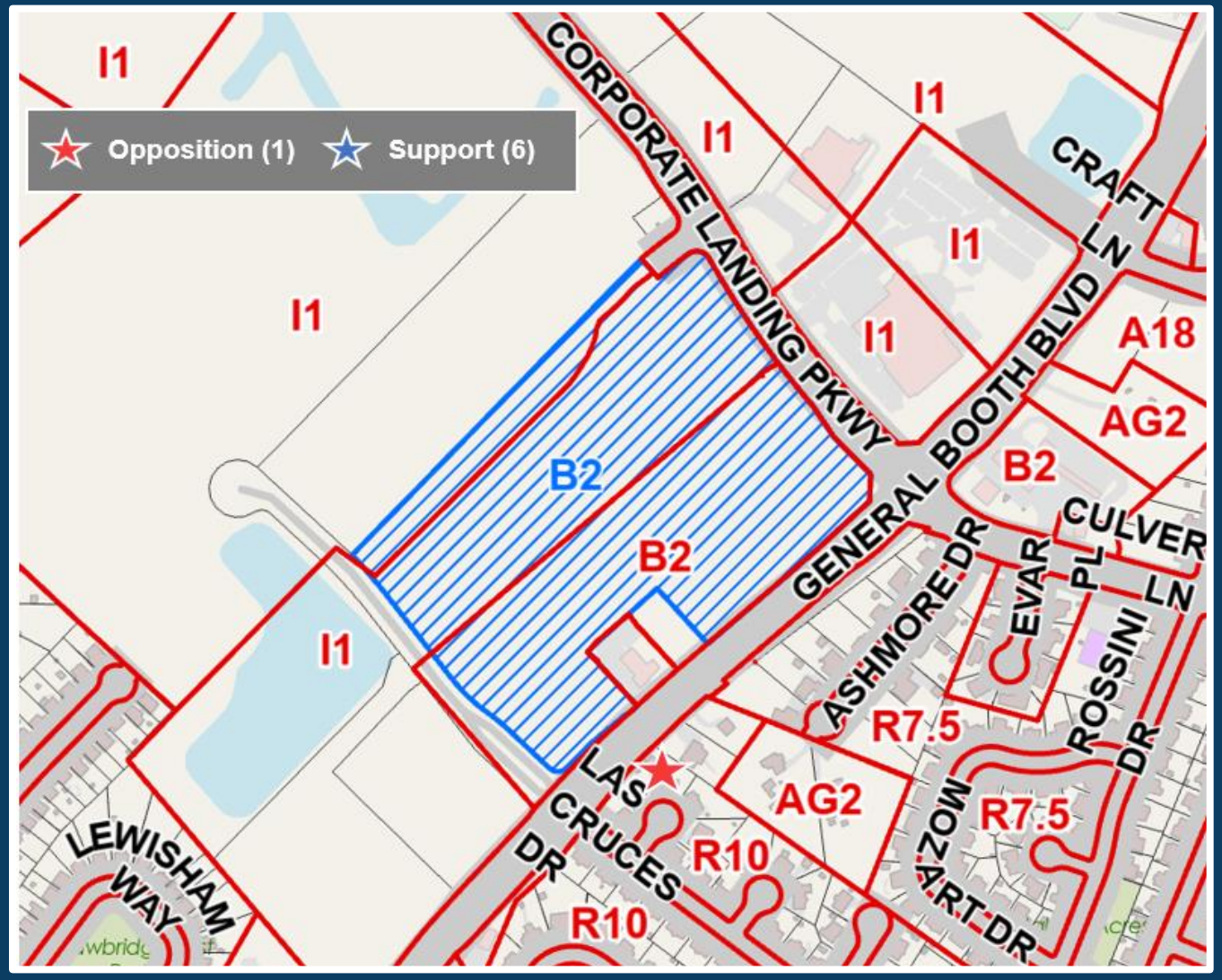
SITE PLAN A - 1 PRIMARY BUILDING & 1 SUPPORT BUILDING
GENERAL BOOTH BLVD AND CORPORATE LANDING PKWY INTERSECTION



SITE PLAN B - MULTI-PARCEL DEVELOPMENT
GENERAL BOOTH BLVD AND CORPORATE LANDING PKWY INTERSECTION

- Tree preservation and enhanced landscaping proposed within 75-foot parking setback along General Booth Blvd
- Future development remains subject to Corporate Landing Design criteria and existing proffers

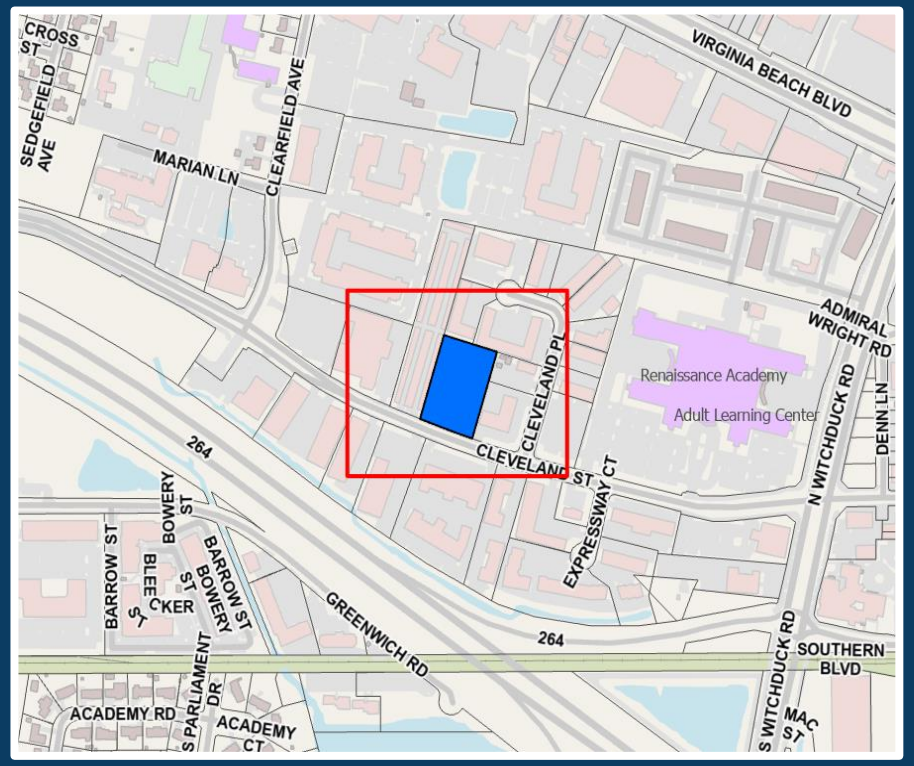
ITEM 5 – THE CITY OF VIRGINIA BEACH DEVELOPMENT AUTHORITY

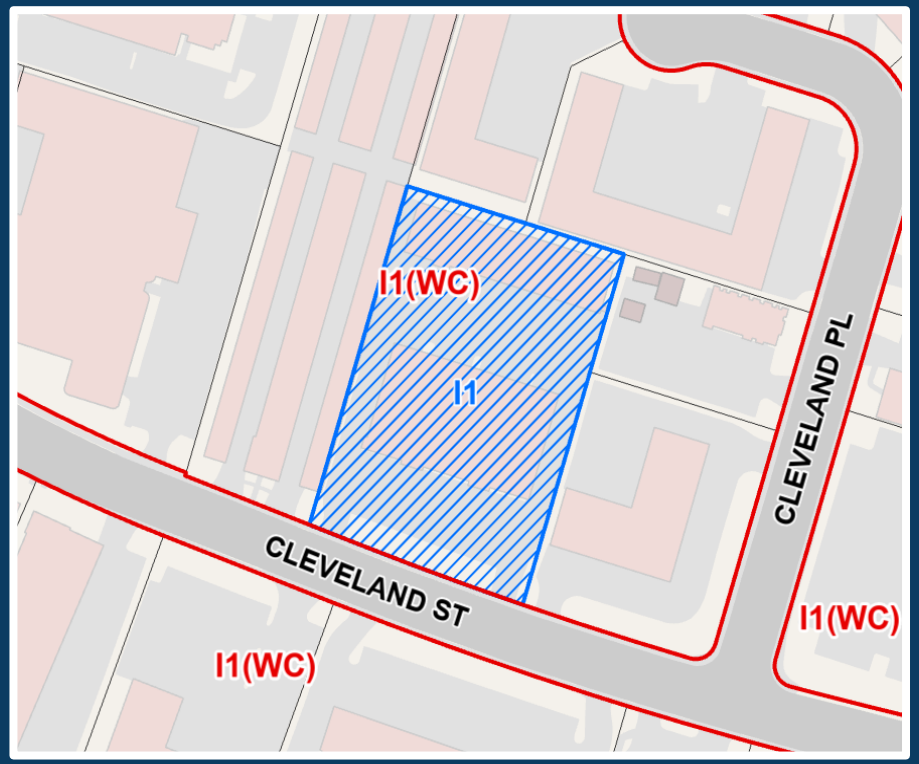


- Support
  - 6 letters received
- Opposition
  - 1 letter received
  - 2 speakers in opposition
  - Concerns related to traffic, environmental impacts, and impact to the surrounding properties

ITEM 6 – VA FINISHING, LLC (Slide 1 of 4)

City Council: District 4 (Ross-Hammond)
Location: 5178 & 5180 Cleveland Street
Planning Commission Hearing Date – November 12, 2026



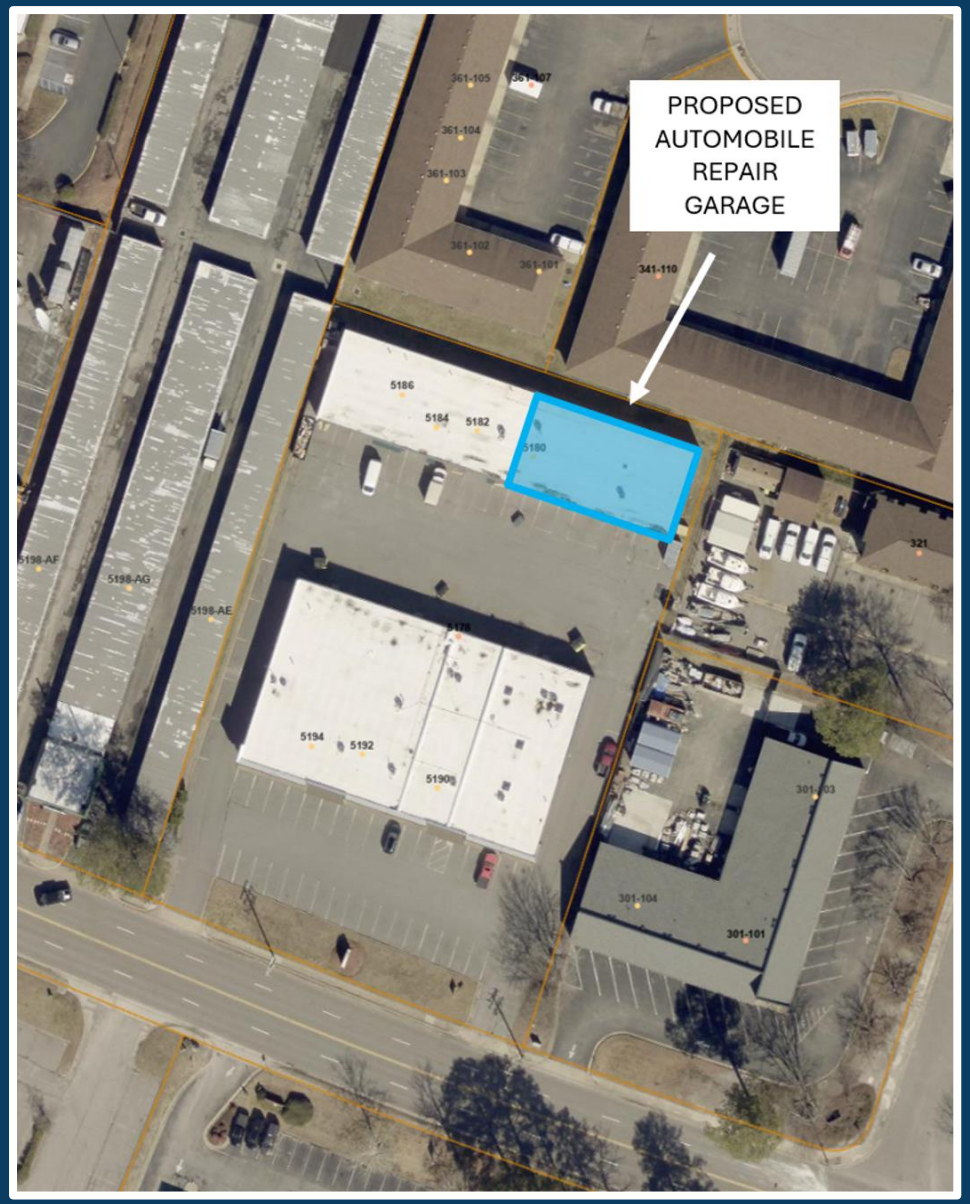


CONDITIONAL USE PERMIT (Automobile Repair Garage)

Staff Recommends Approval

Planning Commission voted 6 to 3 to recommend Approval

ITEM 6 – VA FINISHING, LLC (Slide 2 of 4)



- Request to operate an Automobile Repair Garage within two adjacent units
- Property currently zoned I-1 Light Industrial; located in the Western Campus Overlay District and Pembroke SGA
- Applicant operating under a Conditional Use Permit since 2018, at a different location
- Relocating to better accommodate current operations and anticipated growth

ITEM 6 – VA FINISHING, LLC (Slide 3 of 4)



- All work and storage will be located indoors; no body or paint work proposed
- Applicant specializes in wheel refinishing
- Up to 6 employees anticipated
- Adequate parking provided on site

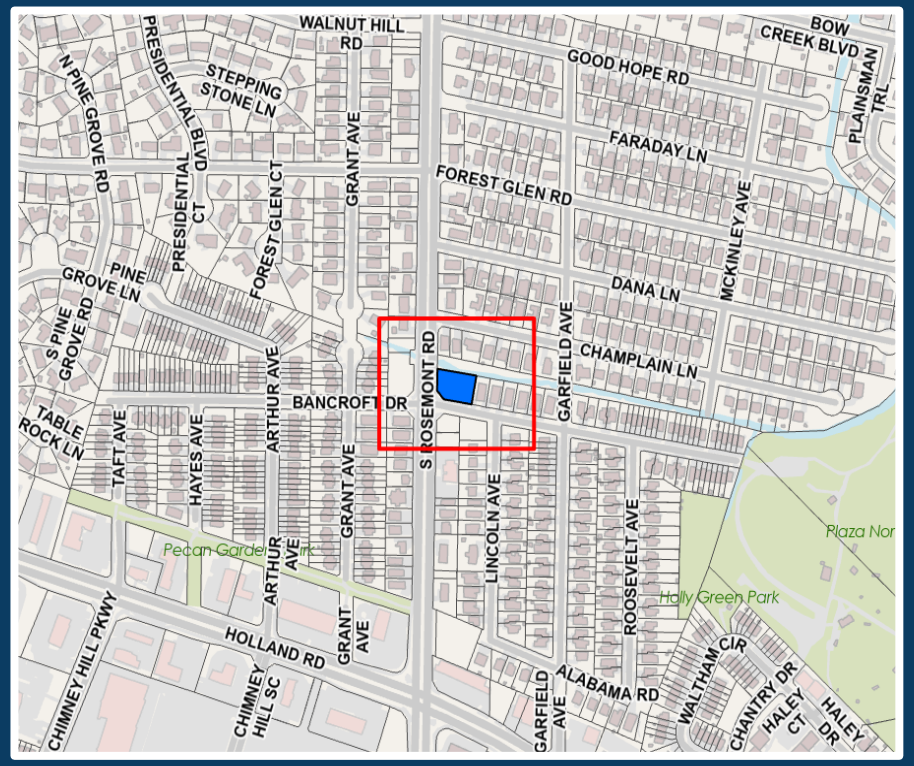
ITEM 6 – VA FINISHING, LLC (Slide 4 of 4)

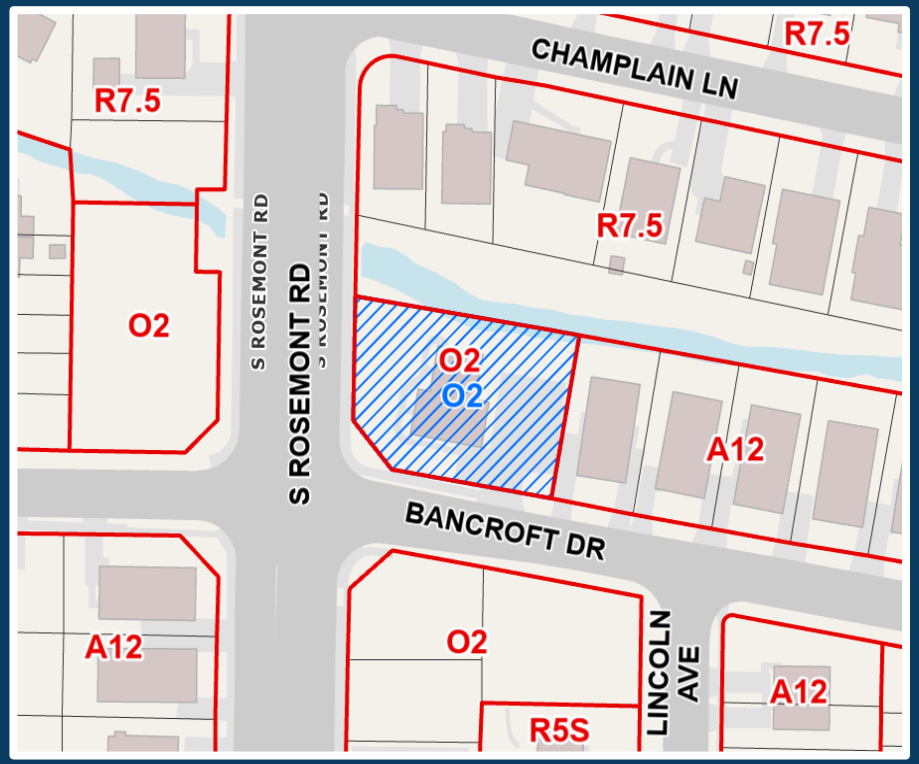


- Staff & Planning Commission recommends 5-year time limit due to location in the SGA
- Planning Commission modified Condition 2 to specify the business would only be open to the public Monday – Friday, 10:00 a.m. to 6:00 p.m.
  - Applicant and employees could perform work outside of those hours
- No opposition received

ITEM 7 – TAPESTRY CHURCH

City Council: District 10 (Rouse)
Location: 696 South Rosemont Road
Planning Commission Hearing Date – November 12, 2026



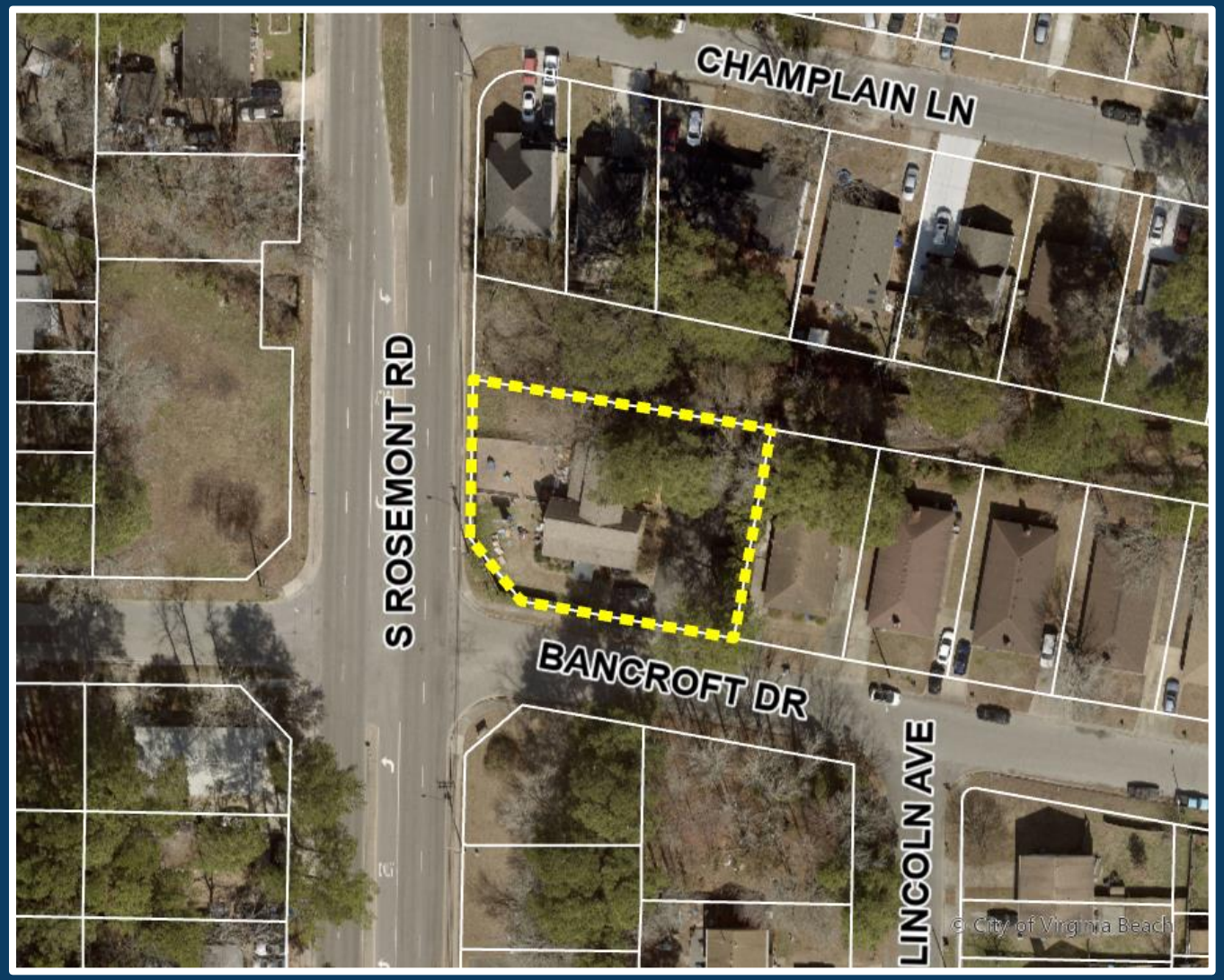


CONDITIONAL USE PERMIT (Eating & Drinking Establishment)

Staff Recommends <u>Approval</u>

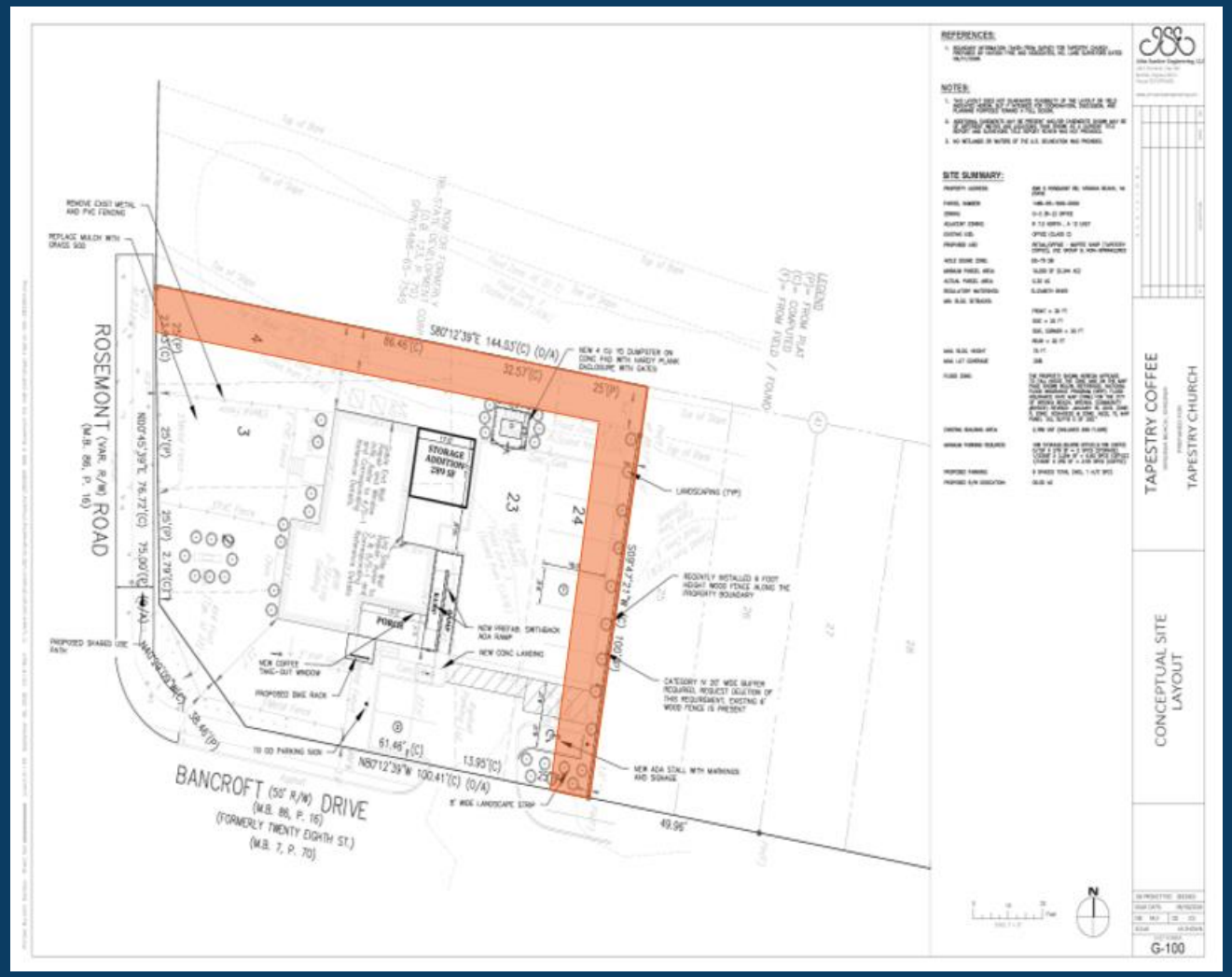
Planning Commission voted 10 to 0 to recommend <u>Approval</u>

ITEM 7 – TAPESTRY CHURCH



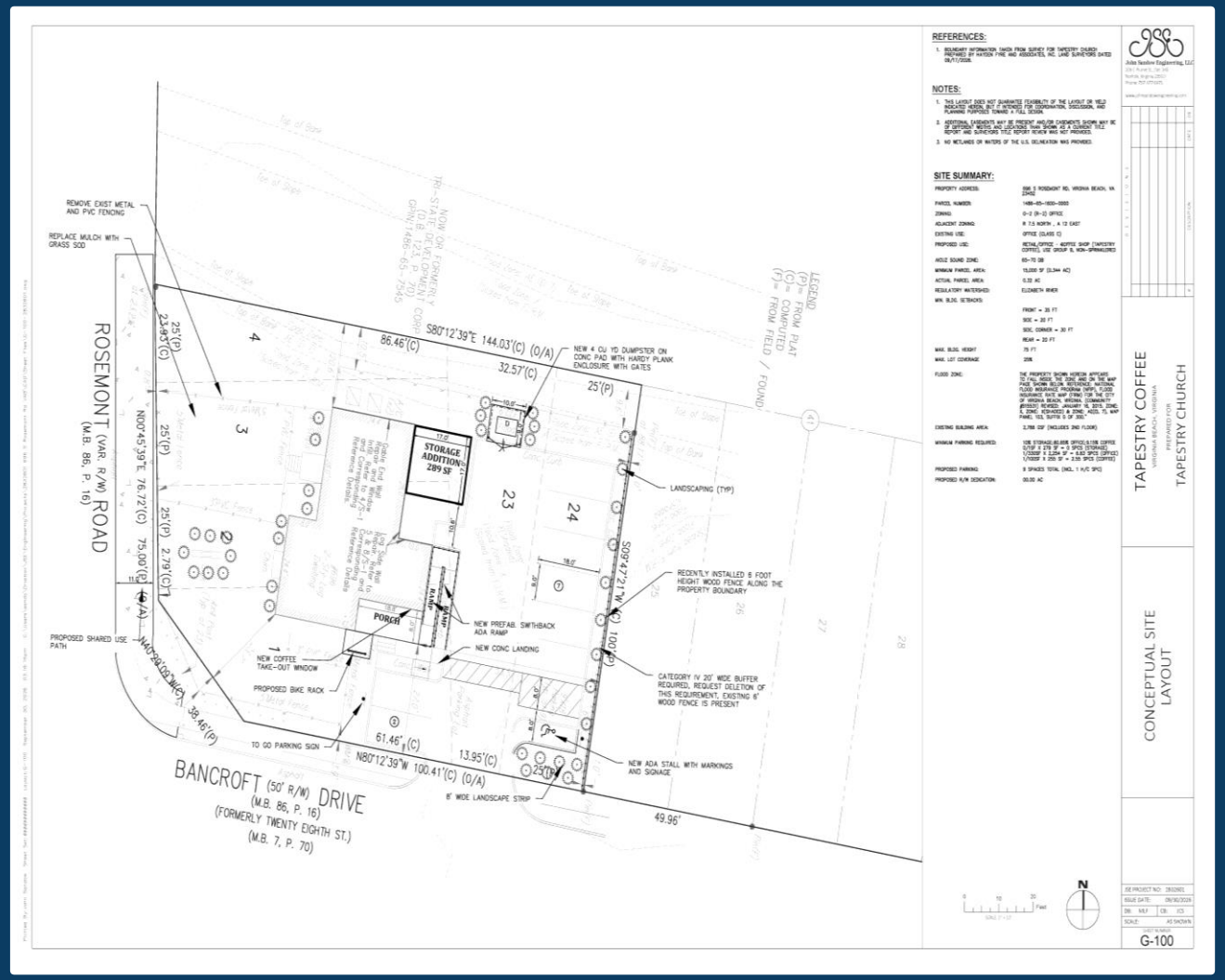
- Request for a Conditional Use Permit for an Eating and Drinking Establishment to redevelop the site with administrative offices for Tapestry Church with a coffee shop
- O-2 Office District limits the eating & drinking establishment use to be in conjunction with a principal use; limited to 10% of total floor area
  - Principal use: office
  - 9.15% of floor area proposed
- Coffee shop will include a pickup window and curbside delivery

ITEM 7 – TAPESTRY CHURCH



- Landscape deviation requested:
  - 20-foot of Category IV buffer required adjacent to residential district, requesting waiver of required landscaping along the north and east property lines
- Parking:
  - Office requires 8 parking spaces
  - Coffee shop required 3 parking spaces
  - Site contains 9 parking spaces
  - Zoning Administrator approved staggered hours of operation so that the uses do not operate on the site at the same time and can share the existing parking on site

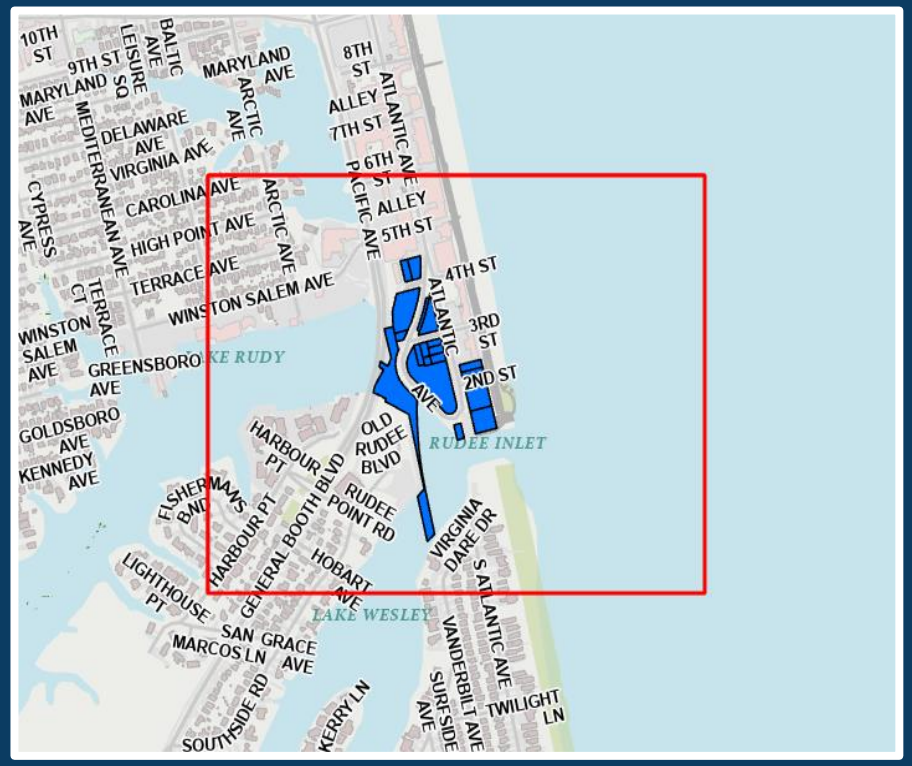
ITEM 7 – TAPESTRY CHURCH

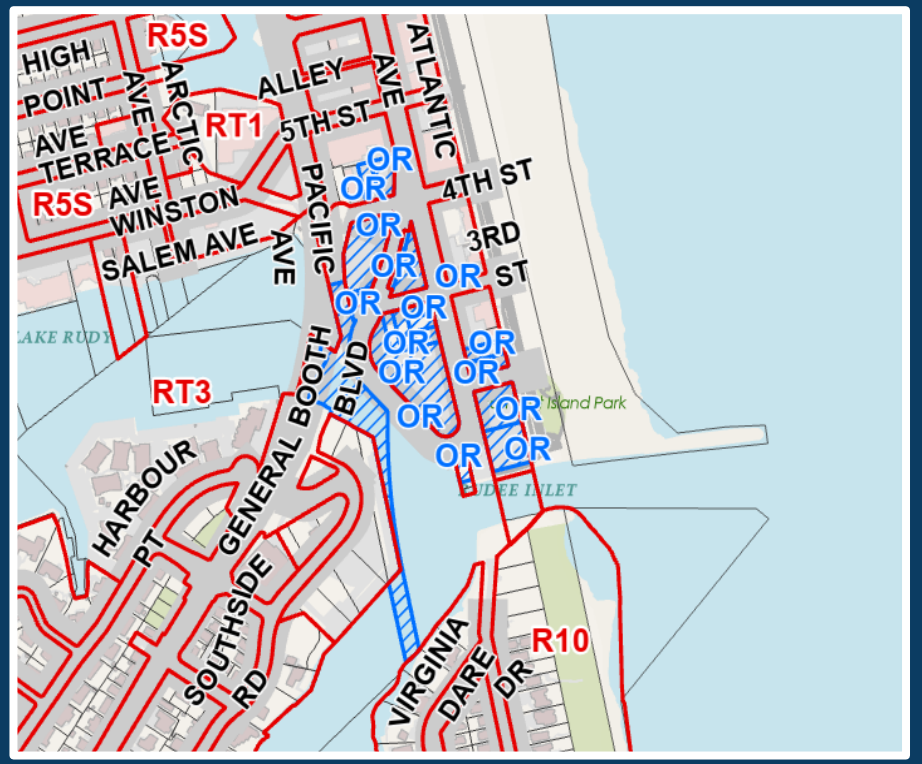


- 11-foot-wide shared use path proposed along S Rosemont Road
- Freestanding sign proposed along S Rosemont Rd
- Proposed use does not warrant a traffic signal at the intersection
- No known opposition

ITEM 8 – CITY OF VIRGINIA BEACH

City Council: District 5 (Wilson)
Location: Rudee Loop, south of 5th Street
Planning Commission Hearing Date – November 12, 2026





ALTERNATIVE COMPLIANCE

Staff Recommends Approval

Planning Commission voted 8 to 1 to recommend Approval

ITEM 8 – CITY OF VIRGINIA BEACH (Slide 2 of 6)



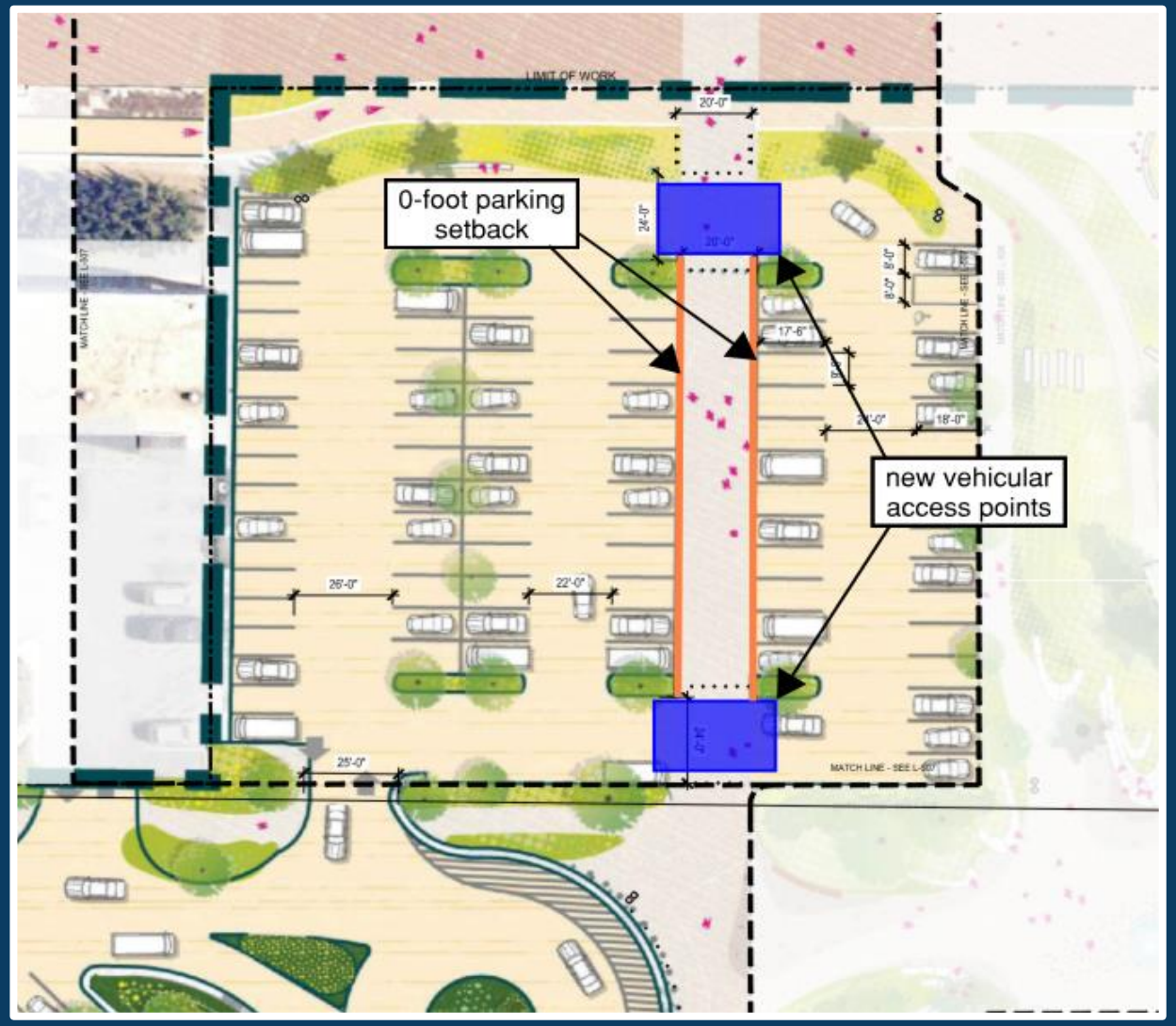
- In August 2025, City Council directed Parks & Recreation to develop final design documents to construct "Rudee Park"
- Located at the southernmost end of Atlantic Avenue
- Final design requires Alternative Compliance to the Oceanfront Resort District Form-Based Code

ITEM 8 – CITY OF VIRGINIA BEACH (Slide 3 of 6)



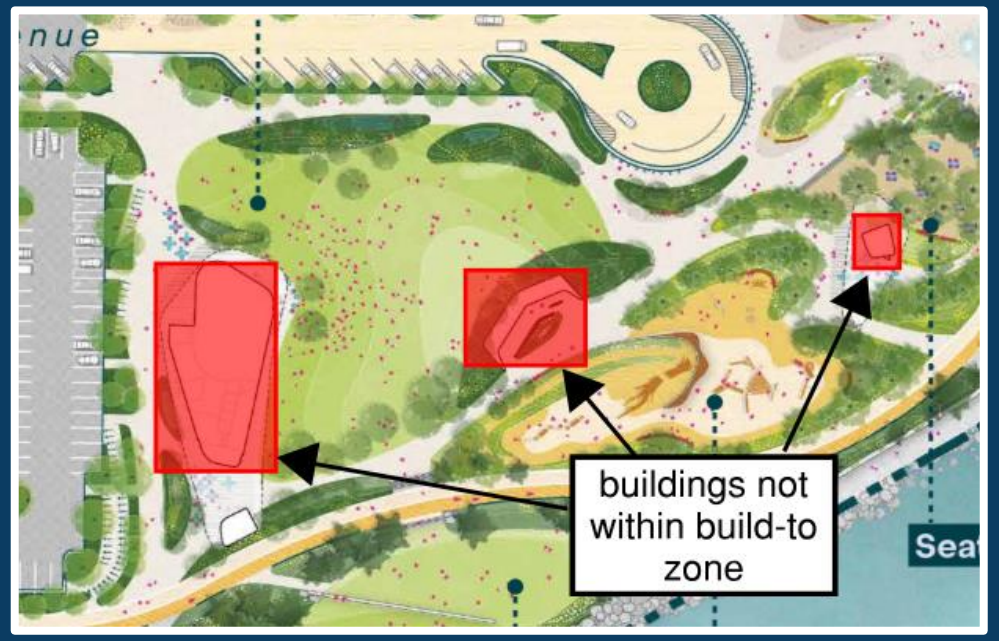
- Rudee Park will consist of open green space, nature play areas, a picnic grove, a water plaza, a skate park, public bathrooms, and over 350 parking spaces
- Final design requires a request for Alternative Compliance for
  - 0-foot parking setback along 2nd Street Connector Park
  - New vehicular access crossing 2nd Street Connector Park
  - Deviation to build-to zone

ITEM 8 – CITY OF VIRGINIA BEACH (Slide 4 of 6)



- Form-Based Code requires a 20-foot parking setback along a Connector Park (2nd Street)
  - Proposal to have a 0-foot setback between the edge of the "Surfer's Lot" and the 2nd Street Connector Park
- OR Form-Based Code states that any new vehicular access to a Connector Park is permitted only by City Council approval
  - Proposal to have 2 new vehicle crossings over 2nd Street to allow circulation through the lot

ITEM 8 – CITY OF VIRGINIA BEACH (Slide 5 of 6)





- OR Form-Based Code requires buildings to be within a certain distance of the right-of-way, known as the “build-to zone”
- Civic buildings are required to be within the build-to zone for 50% of the street frontage
- Proposal to remove the build-to requirement for park buildings

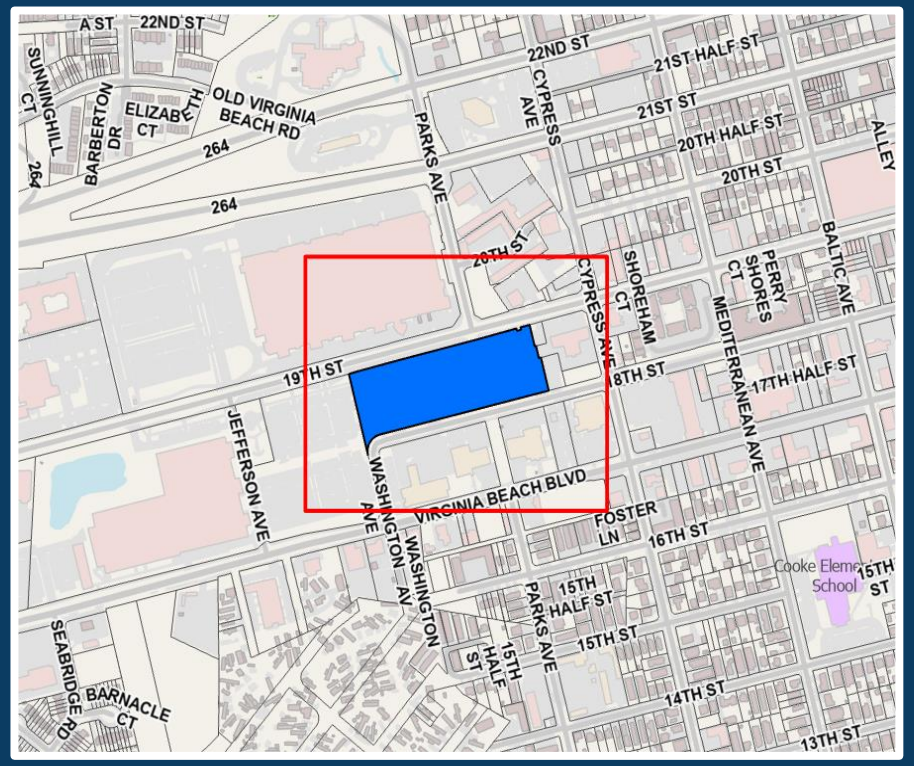
ITEM 8 – CITY OF VIRGINIA BEACH (Slide 6 of 6)

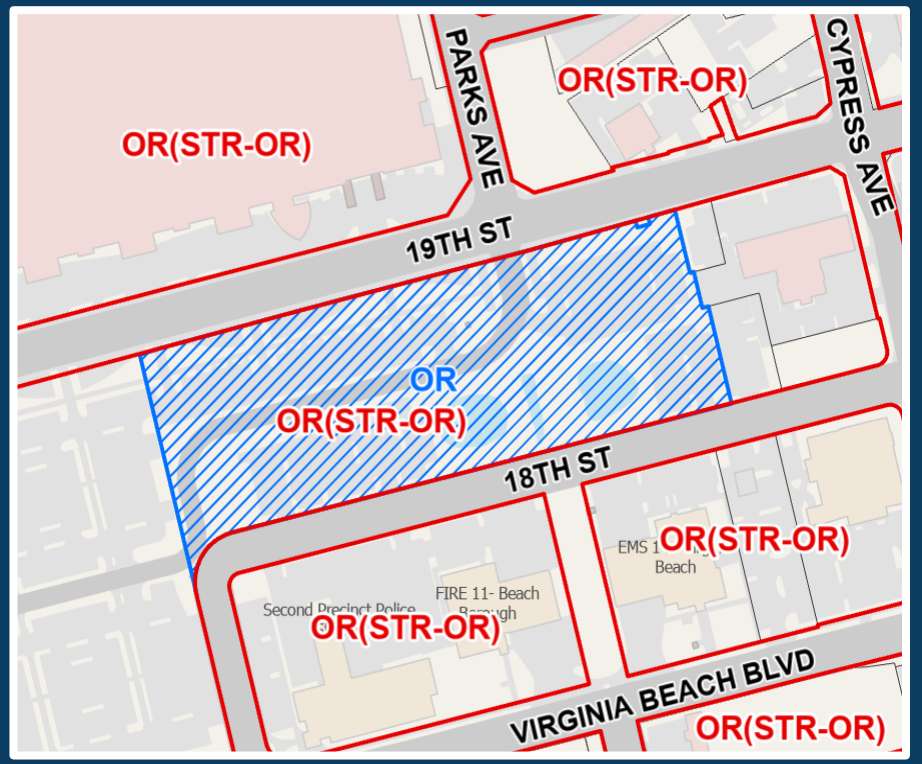


- 1 speaker in opposition at the Planning Commission hearing; expressed concerned with close proximity of the proposed parking lot to his property, traffic flow impacts, and privacy
- Discussion at Planning Commission regarding design elements to ensure the safety of pedestrians and cyclists transitioning from Boardwalk onto the 2nd Street Connector Park

ITEM 9 – RUNNYMEDE CORPORATION

City Council: District 6 (Remick)
Location: 825 18th Street
Planning Commission Hearing Date – November 12, 2026





ALTERNATIVE COMPLIANCE

Staff Recommends Approval

Planning Commission voted 10 to 0 to recommend Approval

ITEM 9 – RUNNYMEDE CORPORATION



- In October of 2025, submissions for an RFP were received to develop public structured parking and other complementary uses at 825 18th St
- Preferred proposal was selected in Spring of 2026
- Located within the ViBe Creative District and the Resort Area SGA

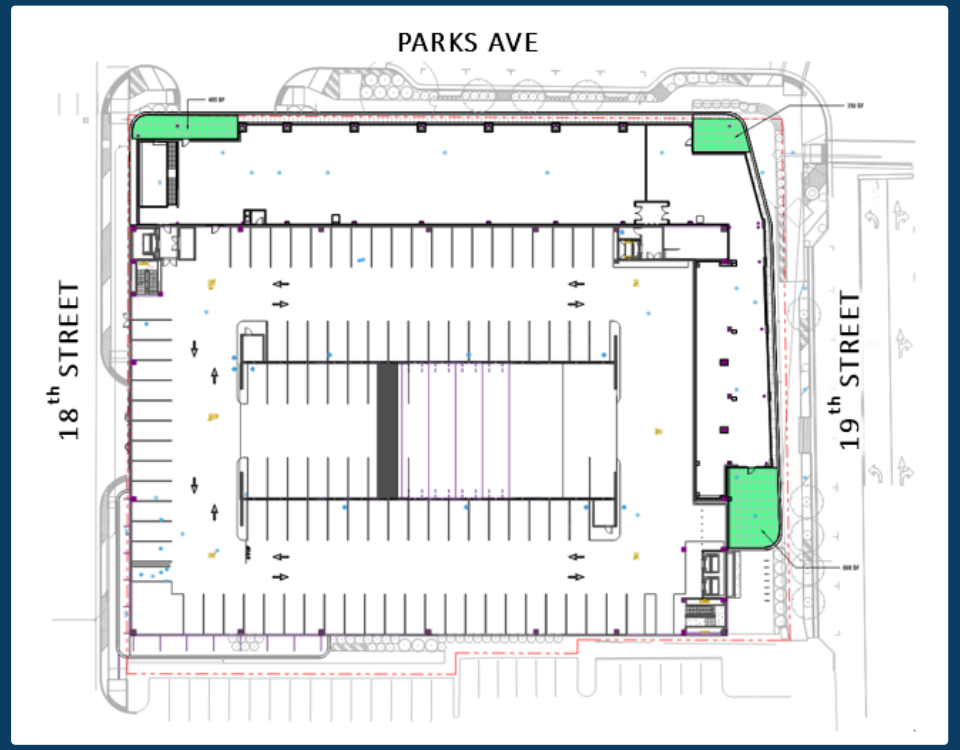
ITEM 9 – RUNNYMEDE CORPORATION



- The mixed-use parking garage will provide over 1,000 parking spaces, 30,000 square feet of commercial space, on-site bicycle parking, and public restrooms
- Final design requires a request for Alternative Compliance for:
  - Reduced building setbacks
  - Reduced foundation landscaping
  - Increased building podium height
  - Reduced on-site outdoor amenity space
  - Alternative parking garage façade design

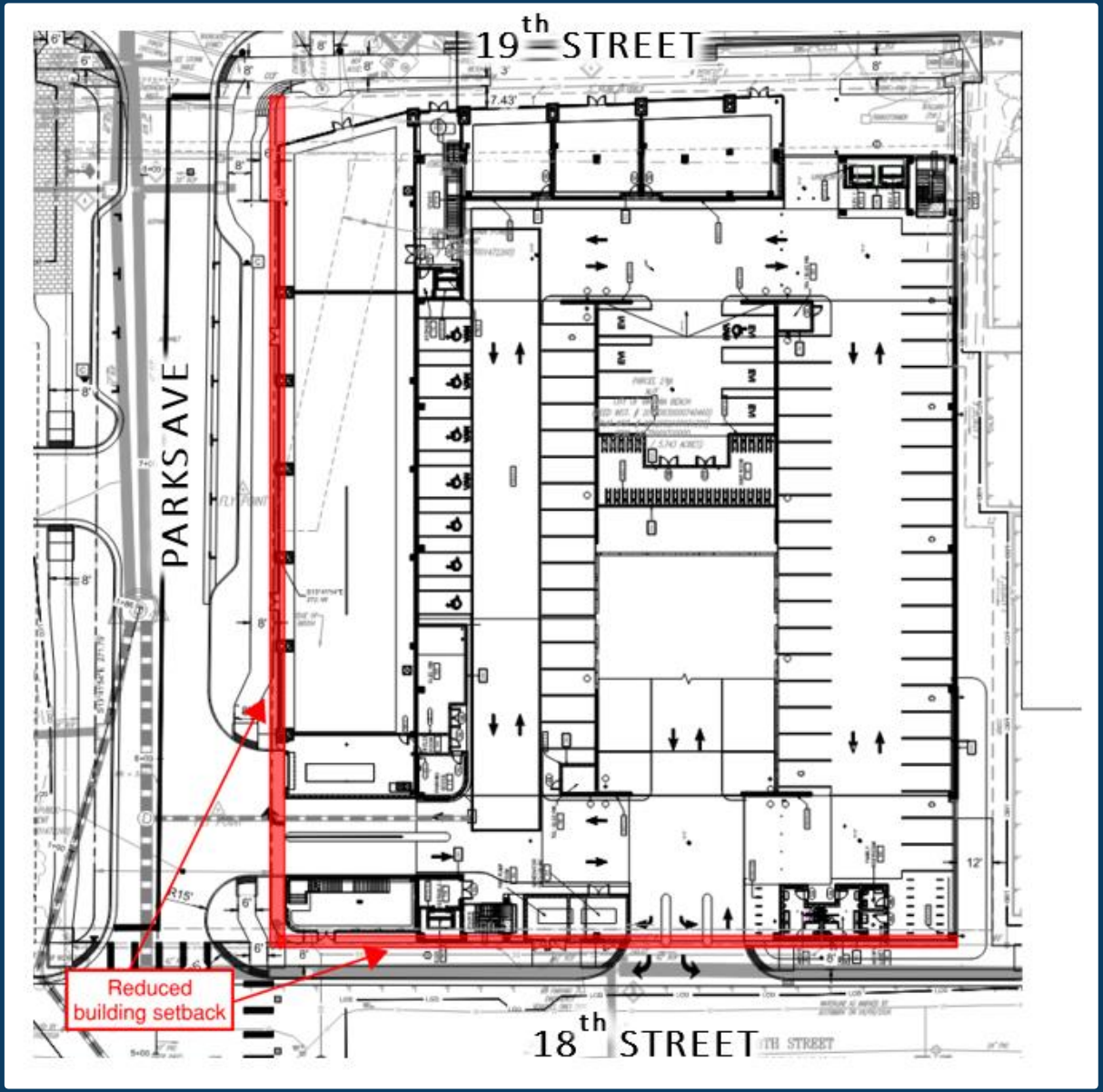
ITEM 9 – RUNNYMEDE CORPORATION





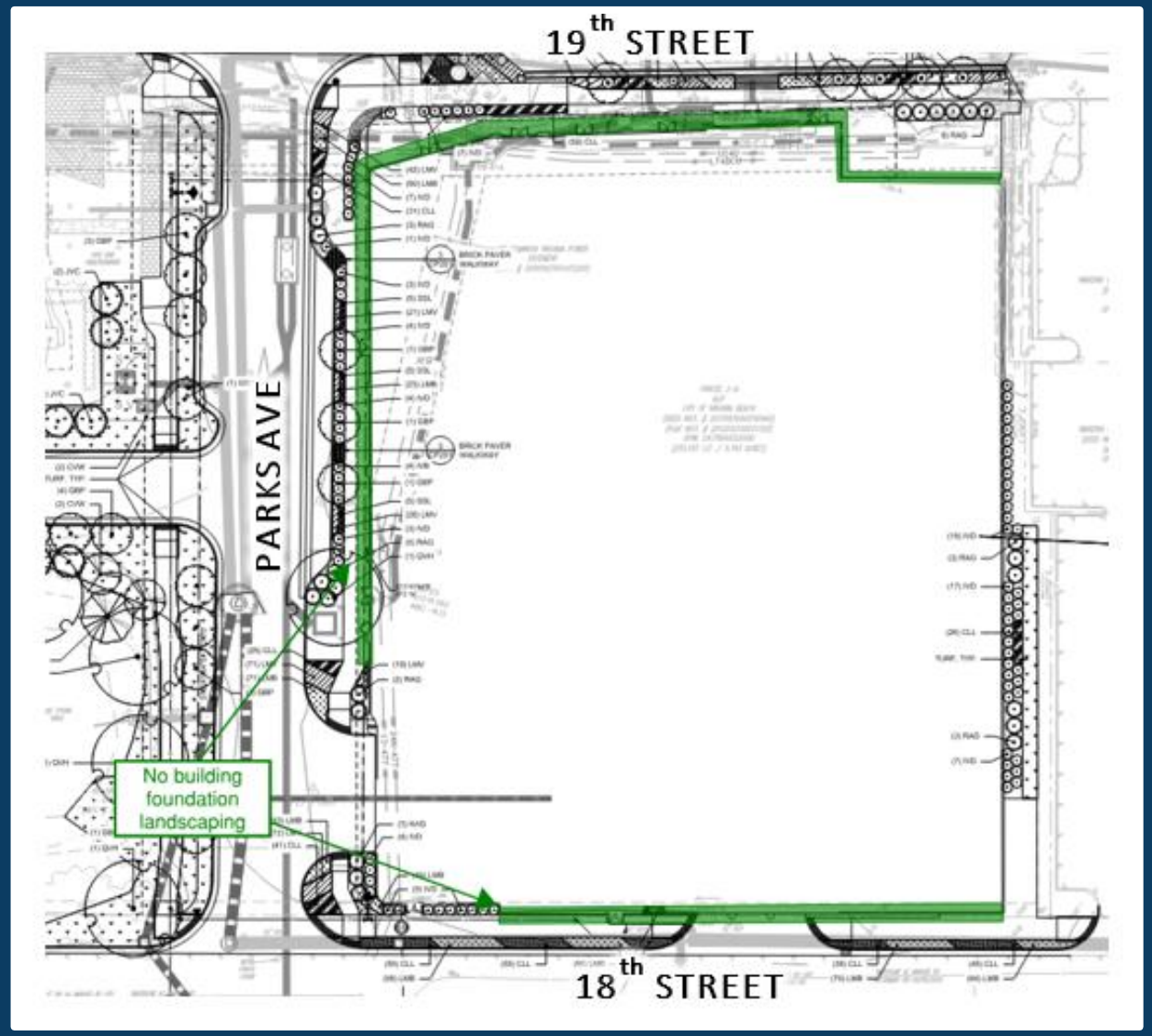
- OR Form-Based Code requires mixed-use buildings to provide 15% of the total lot area as outdoor amenity space
- Proposal provides 11% on-site outdoor amenity space (4% deviation)
- Includes ground-level pedestrian amenities on private property and 2nd story commercial space balconies

ITEM 9 – RUNNYMEDE CORPORATION



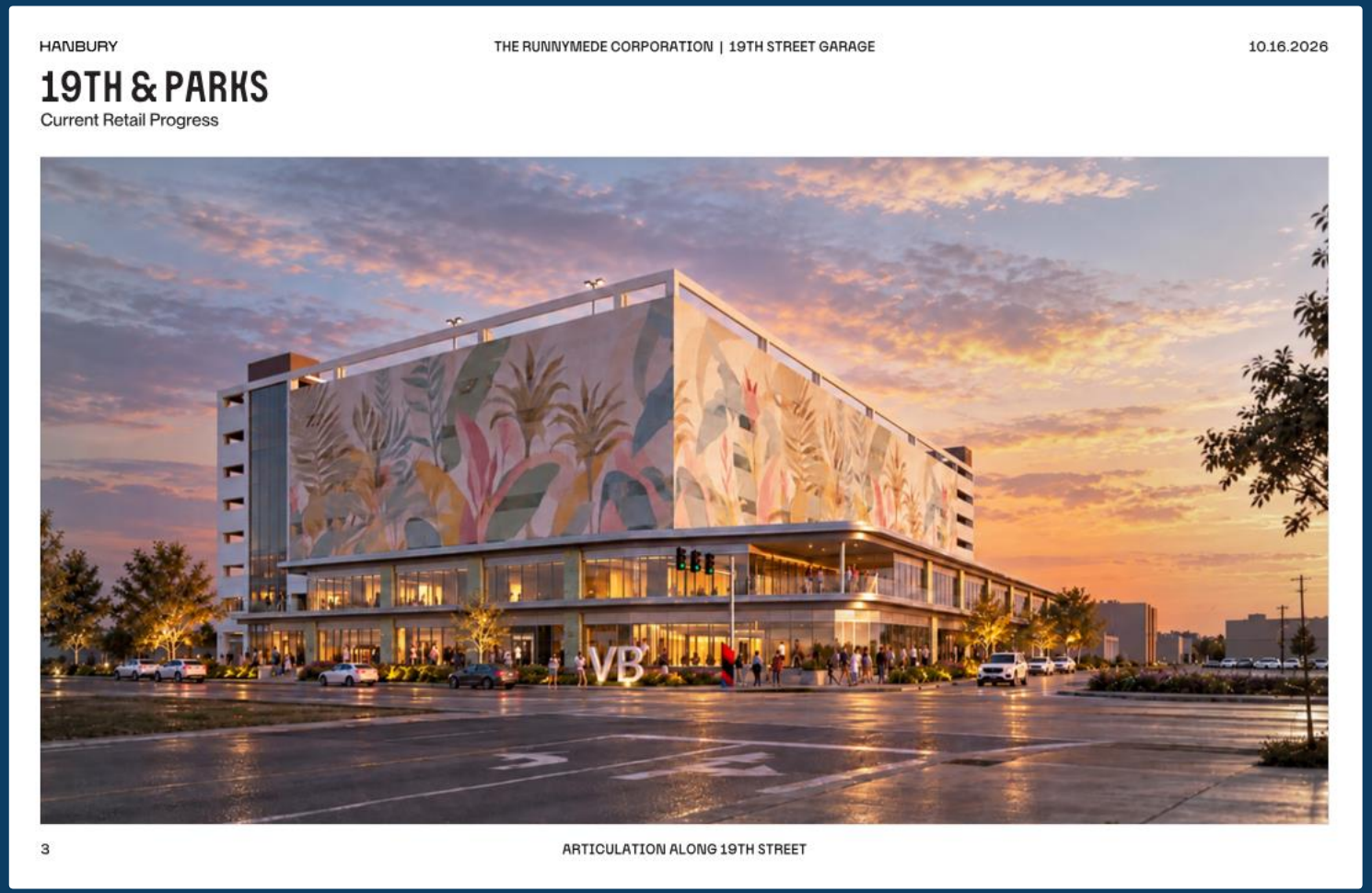
- Form-Based Code requires a 5-foot building setback along 19th Street, Parks Avenue, and 18th Street
- 0.9-foot setback proposed along 18th Street
- 0-foot setback proposed along the future extension of Parks Avenue

ITEM 9 – RUNNYMEDE CORPORATION



- A 3-foot foundation landscaping strip is required along at least 66% of the width of any building façade adjacent to a street
- Building foundation landscaping is not provided for most of the 3 street frontages
- Landscape plan does include street landscaping along 19th Street and the future extension of Parks Avenue

ITEM 9 – RUNNYMEDE CORPORATION



- Maximum podium height permitted is 75 feet, with a tower height potential of 200 feet
- Proposal to increase podium height to 93 feet
- Increase is largely due to the architectural building crown, which will provide interior perimeter lighting to the top deck, reducing the number of rooftop light poles needed to meet building code requirements

ITEM 9 – RUNNYMEDE CORPORATION





- Form-Based Code requires upper stories of parking structure facades to be designed with vertical and horizontal articulation
- "Articulation" is described as substantial material change or other design element greater than 6 inches in depth
- Proposed artistic screen and spandrel cover does not constitute as articulation
- No known opposition

ITEM 10 – CITY OF VIRGINIA BEACH

Planning Commission Hearing Date – November 12, 2026

AN ORDINANCE TO AMEND SECTIONS 111, 401, 801, 901, 1001, AND 2203 AND ADD SECTION 209.9 OF THE CITY ZONING ORDINANCE AND AMEND SECTION 5.2 OF THE OCEANFRONT RESORT DISTRICT FORM BASED CODE PERTAINING CANNABIS ENFORCEMENT

Staff Recommends Approval

Planning Commission voted 9 to 1 to recommend Approval

ITEM 10 – CITY OF VIRGINIA BEACH

- Updates the Zoning Ordinance to comply with State Code change allowing the retail sale of cannabis starting July 1, 2027, with state application process tentatively scheduled to begin February 1, 2027
- Virginia Cannabis Control Authority (CCA) will issue licenses and promulgate regulations including:
  - Setting a limit to the number of licenses available in each locality
  - Minimum distance required between retail establishments and sensitive uses

ITEM 10 – CITY OF VIRGINIA BEACH

Outreach:

- Briefings to City Council and appointed agencies
  - Planning Commission
  - Resort Advisory Commission
  - Central Business District Association
- Monthly meetings of the Cannabis Advisory Task Force (CATF)
- Public survey available on the City's website

ITEM 10 – CITY OF VIRGINIA BEACH

What we heard:

- Public concern around retail sales was primarily separation from sensitive uses, followed closely by public safety and security
  - A minimum separation distance of 1,000 feet from sensitive uses is included in the ordinance
- A majority of respondents to the survey supported limited hours of operation for retail
  - The specific hours listed in the ordinance were also supported by the majority of respondents

ITEM 10 – CITY OF VIRGINIA BEACH

What we heard:

- 57% of respondents to the survey supported commercial cultivation by right with 36% supporting a conditional use permit requirement
  - Staff's recommended ordinance included cultivation within the agricultural and Industrial districts by-right, with codified restrictions
- Respondents listed security and product-testing regulations, followed by odor control, buffers and setbacks as their primary concerns around cultivation
- Additional comments: business concentration, public safety, odor, neighborhood compatibility, retail businesses around family- oriented and tourist areas, economic opportunities, unnecessarily restricting lawful businesses

ITEM 10 – CITY OF VIRGINIA BEACH

What we heard:

- CATF balanced concerns with businesses having duplicative regulations between the state and localities and impacts to neighboring businesses and family-oriented tourist districts
  - Proposed ordinance includes odor mitigation requirements and prohibits cannabis retail in the OR and CBC
- Planning Commission feedback included concerns with impacts from cultivation on neighboring farms and a desire for a CUP requirement for each new use

ITEM 10 – CITY OF VIRGINIA BEACH

All cannabis-related uses are required to:

- Comply with all local and state laws, including CCA regulations
- Maintain a license in good standing with the CCA
- Provide a CCA-approved security plan to the Virginia Beach Police Department

All cannabis-related uses are prohibited from:

- Displaying imagery of marijuana or the use of marijuana
- Drawing undue attention to the facility through signage

ITEM 10 – CITY OF VIRGINIA BEACH

Marijuana Cultivation Facility

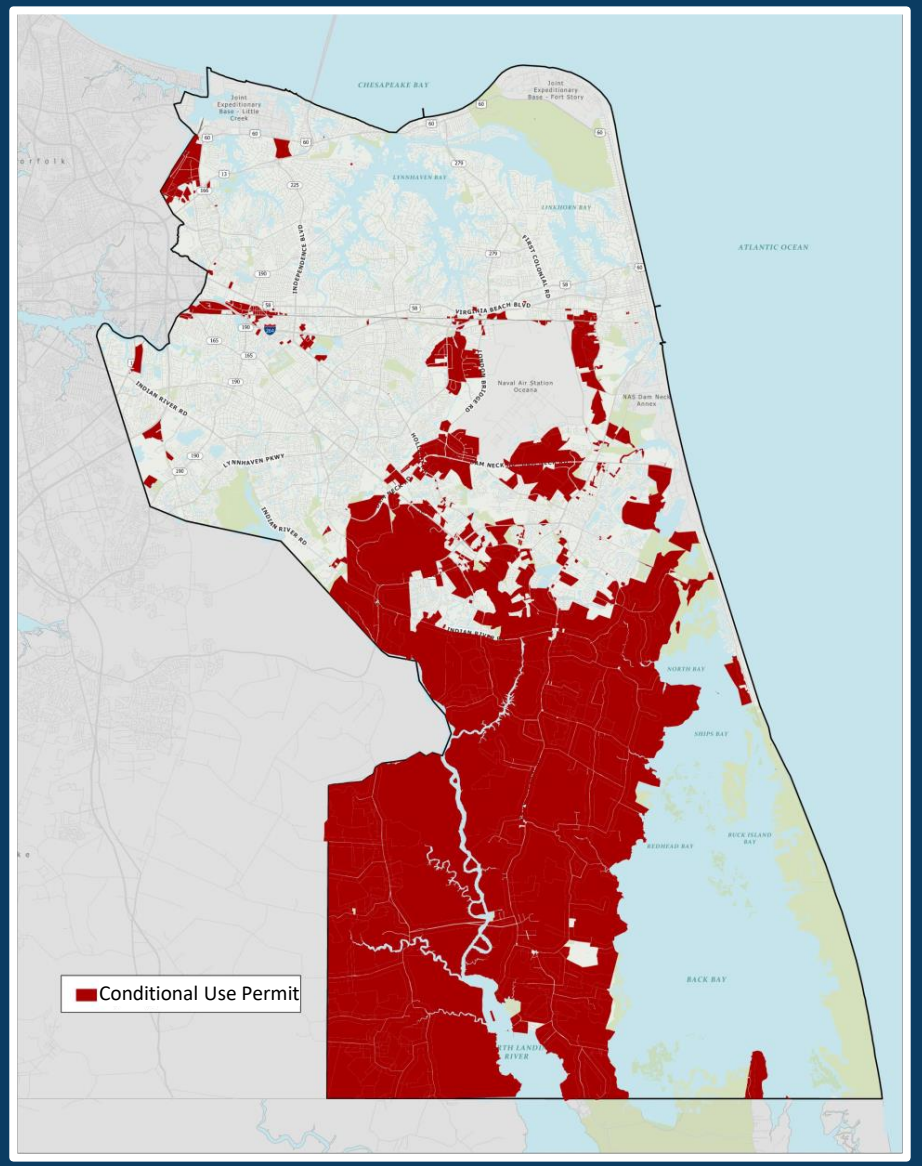
A facility licensed by the CCA to cultivate, label, and package marijuana.

- Proposed with a CUP in the Agricultural and Industrial districts
- Outdoor cultivation is not permitted in the Industrial districts
- Indoor cultivation facilities are required to have an odor mitigation ventilation system with carbon filters

ITEM 10 – CITY OF VIRGINIA BEACH

Marijuana Cultivation Facility

Proposed with a CUP in the Agricultural and Industrial districts



ITEM 10 – CITY OF VIRGINIA BEACH

Marijuana Delivery Operator

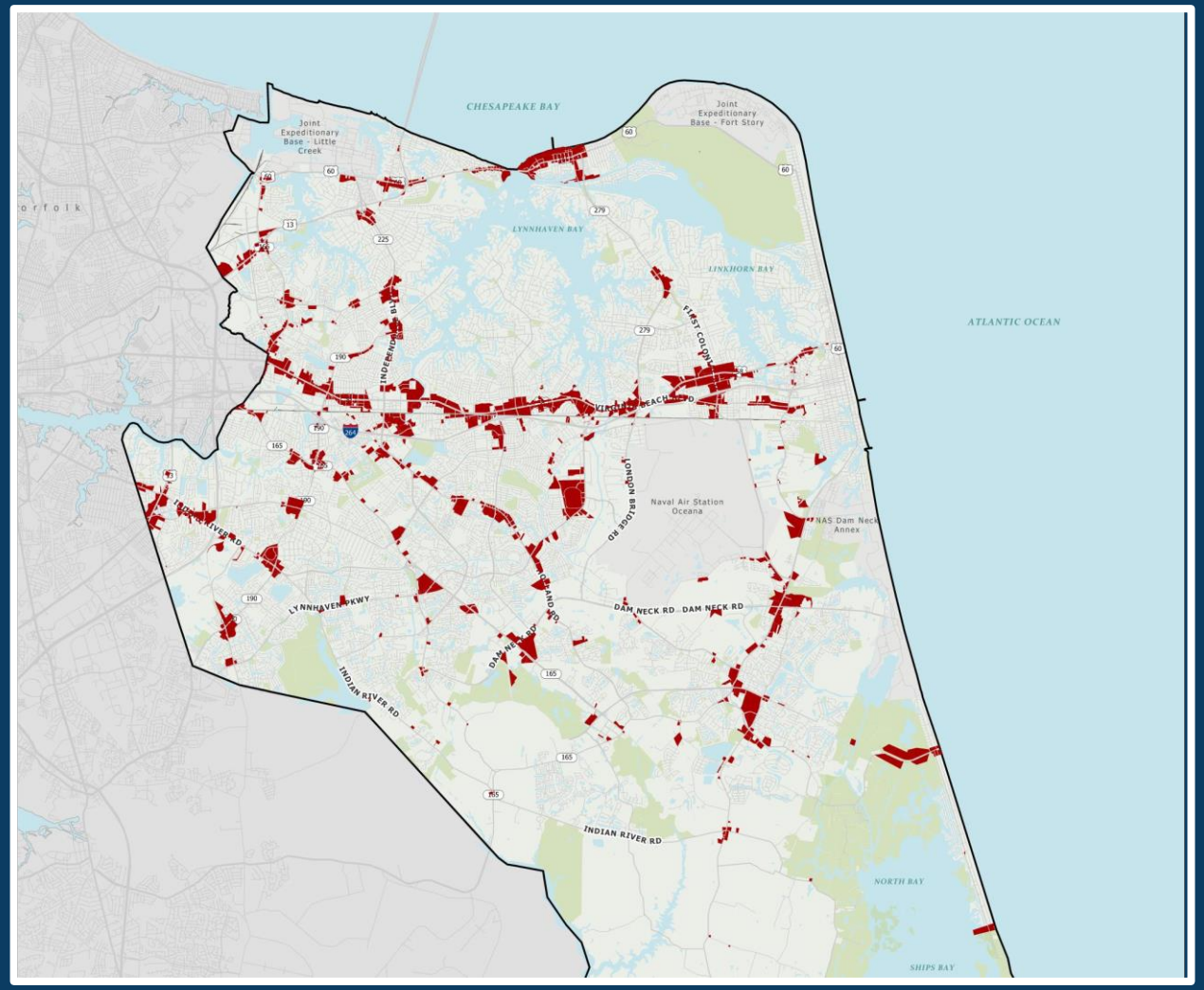
An establishment that is licensed to deliver marijuana or marijuana products from a licensed retailer to patients or customers at their residence or business.

- Proposed with a CUP in the B-1A, B-2, B-3, B-4, and B-4C Business Districts

ITEM 10 – CITY OF VIRGINIA BEACH

Marijuana Delivery Operator

Proposed with a CUP in the B-1A, B-2, B-3, B-4, and B-4C Business Districts



ITEM 10 – CITY OF VIRGINIA BEACH

Marijuana Transporter

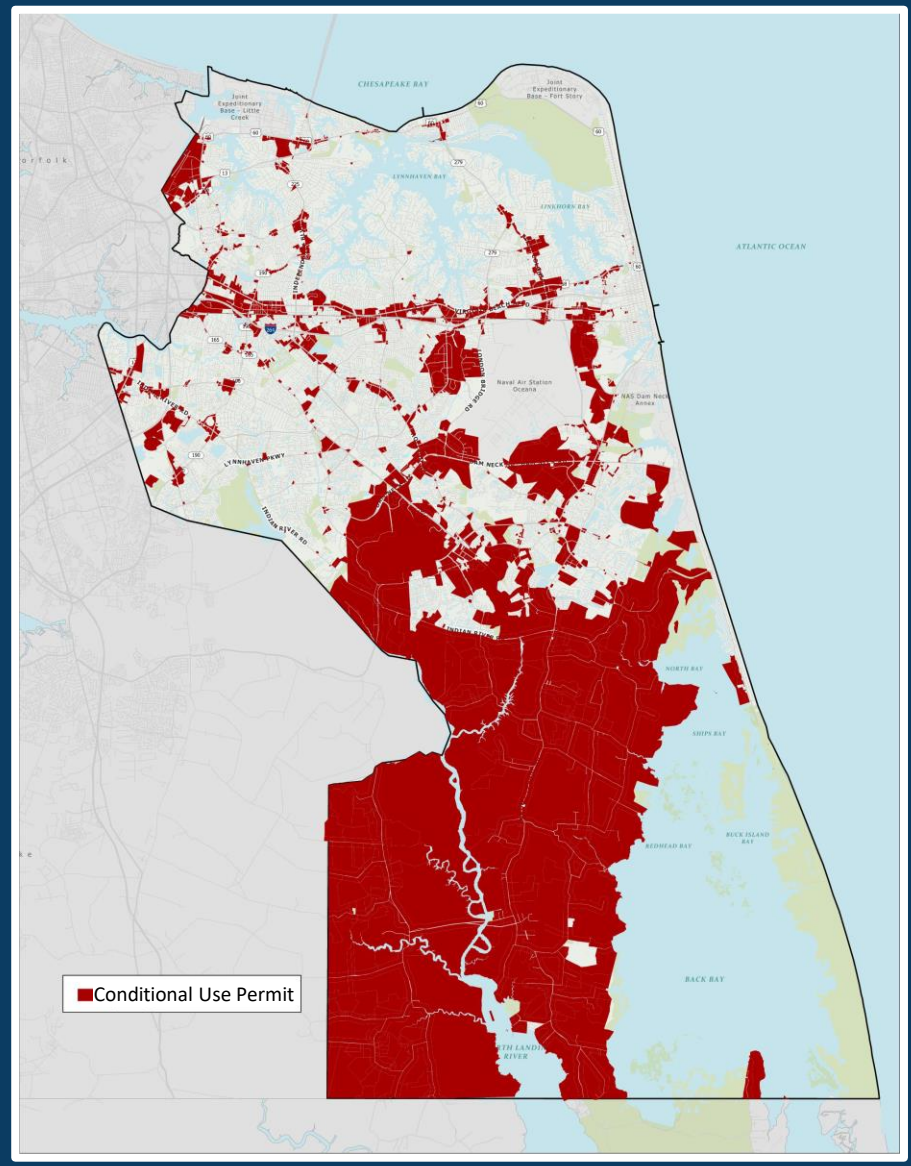
An establishment that is licensed to transport marijuana or marijuana products from one licensed facility to another licensed facility.

- Proposed with a CUP in the Agricultural, Office, and Industrial districts, as well as the B-2 and B-3 Business Districts

ITEM 10 – CITY OF VIRGINIA BEACH

<u>Marijuana Transporter</u>

Proposed with a CUP in the Agricultural, Office, and Industrial districts, as well as the B-2 and B-3 Business Districts



ITEM 10 – CITY OF VIRGINIA BEACH

Marijuana Processing Facility

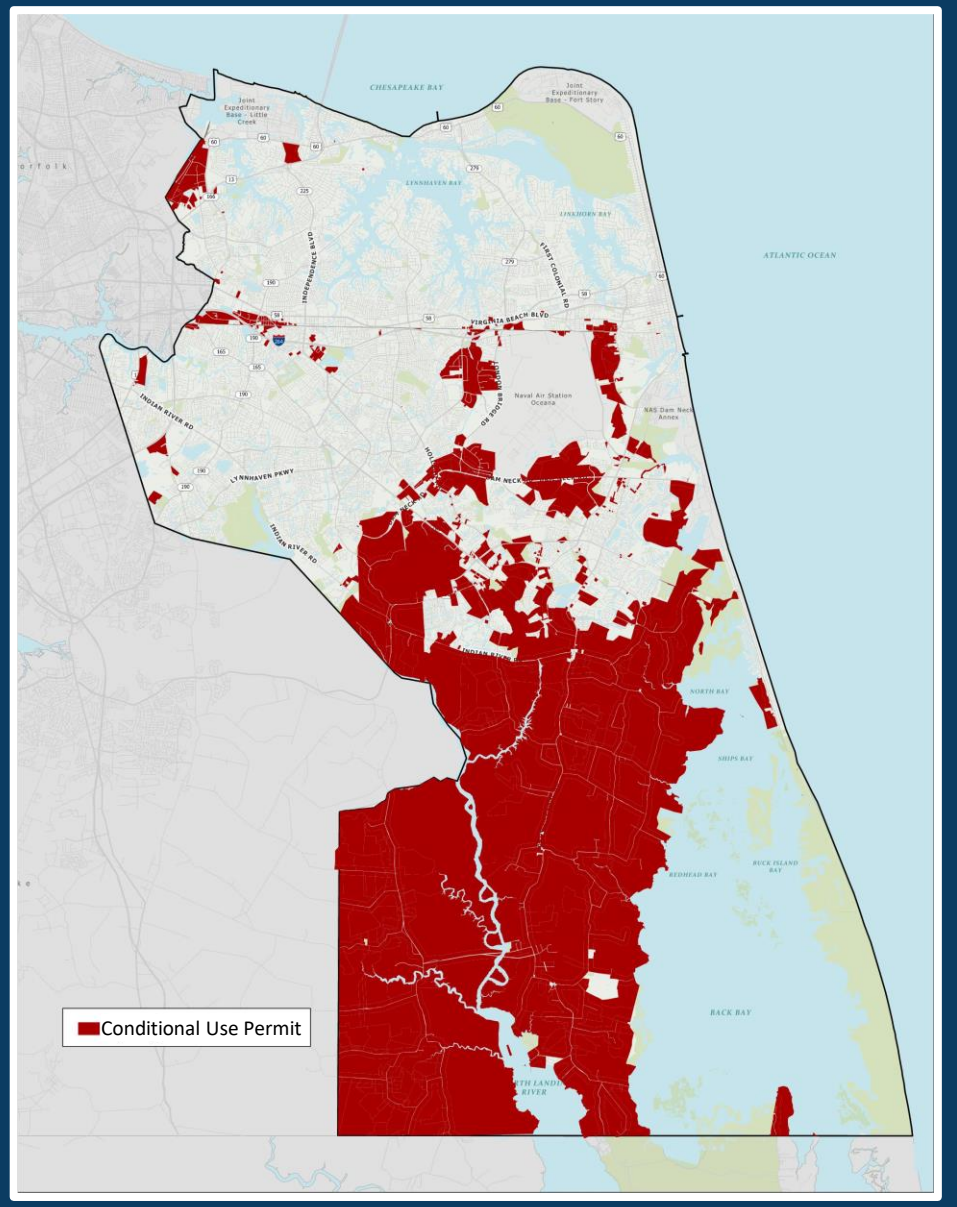
A facility licensed to process, label, and package marijuana and marijuana products.

- Proposed with a CUP in the Agricultural and Industrial districts

ITEM 10 – CITY OF VIRGINIA BEACH

Marijuana Processing Facility

Proposed with a CUP in the Agricultural and Industrial districts



ITEM 10 – CITY OF VIRGINIA BEACH

Marijuana Testing Facility

A facility licensed to develop, research, transport, or test marijuana, marijuana products, and other substances.

- Proposed with a CUP in the Industrial, Agricultural, and Office districts

ITEM 10 – CITY OF VIRGINIA BEACH

Retail Marijuana Store

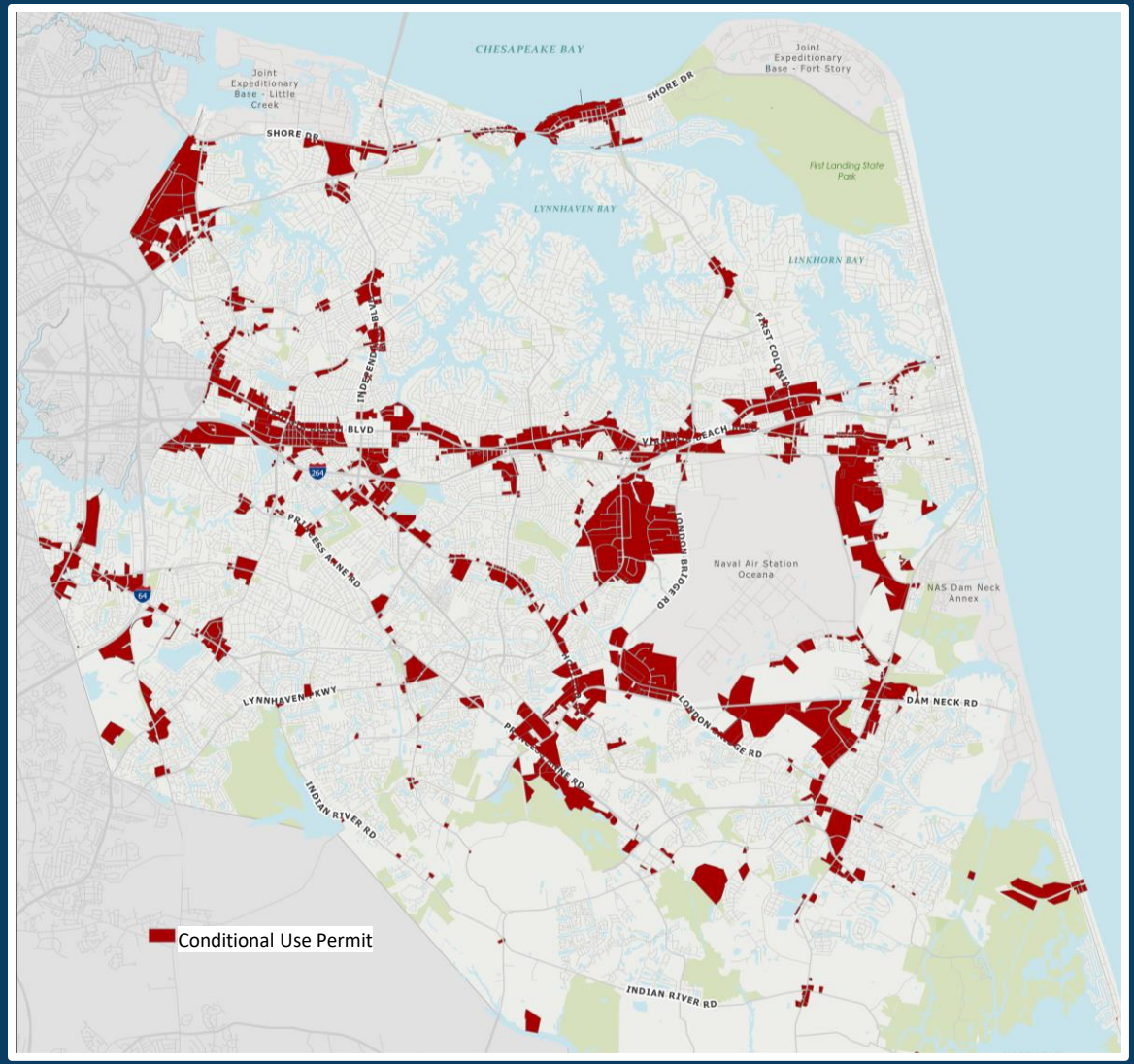
A facility licensed to sell marijuana, marijuana products, immature marijuana plants, or marijuana seeds in person to consumers.

- Proposed with a conditional use permit in the B-1A, B-2, B-3, B-4 Business Districts as well as in Industrial districts
- Proposed requirements, include:
- Installation of an odor mitigation ventilation system with carbon filters to mitigate cannabis-related odor
- Limited hours of operation of Monday–Saturday 10 a.m. to 9 p.m. and Sunday, 10 a.m.–6 p.m.
- Shall not be located within 1,000 feet of a hospital; public or private school; institution of higher education; commercial daycare; or another retail or microbusiness cannabis establishment
- A maximum retail floor space of 2,500 square feet

ITEM 10 – CITY OF VIRGINIA BEACH

Marijuana Retail Store

Proposed with a conditional use permit in the B-1A, B-2, B-3, B-4 Business Districts as well as in Industrial districts



ITEM 10 – CITY OF VIRGINIA BEACH

Microbusiness

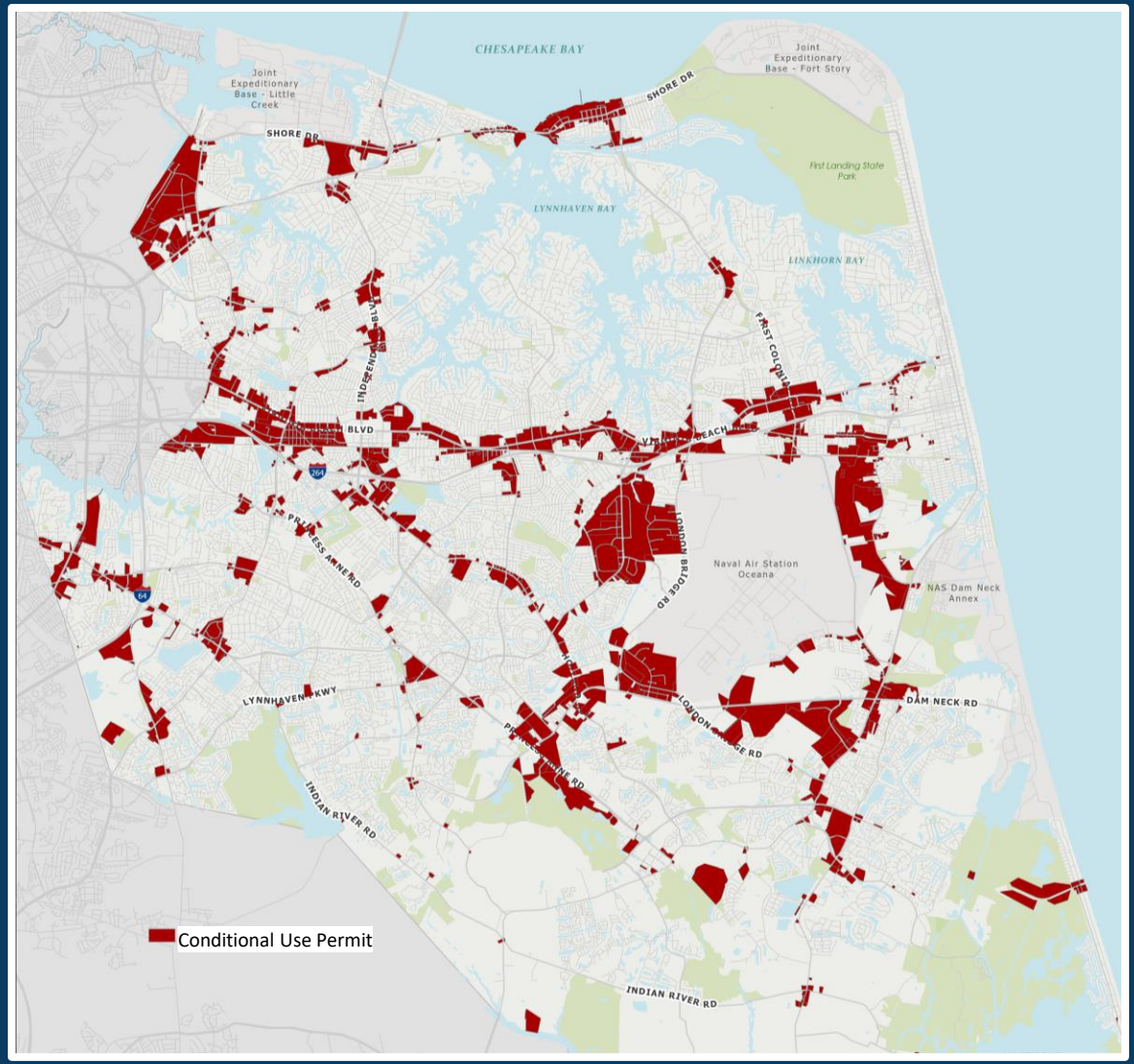
A facility that is licensed to cultivate, process, and sell marijuana and marijuana products on one site.

- Proposed with a conditional use permit in the B-1A, B-2, B-3, B-4 Business Districts as well as in Industrial districts
- Proposed requirements, include:
- Installation of an odor mitigation ventilation system with carbon filters to mitigate cannabis-related odor
- Limited hours of operation of Monday–Saturday 10 a.m. to 9 p.m. and Sunday, 10 a.m.–6 p.m.
- Shall not be located within 1,000 feet of a hospital; public or private school; institution of higher education; commercial daycare; or another retail or microbusiness cannabis establishment
- A maximum retail floor space of 2,500 square feet

ITEM 10 – CITY OF VIRGINIA BEACH

Microbusiness

Proposed with a conditional use permit in the B-1A, B-2, B-3, B-4 Business Districts as well as in Industrial districts



ITEM 10 – CITY OF VIRGINIA BEACH

Next steps:

- Ordinance adoption by January 1, 2027
- CCA begins accepting applications on February 1, 2027
- Retail sales authorized by the state beginning July 1, 2027
- Future decisions by City Council on taxation

ITEM 11 – CITY OF VIRGINIA BEACH

Planning Commission Hearing Date – November 12, 2026

- AN ORDINANCE TO AMEND SECTIONS 301, 401, 501,601, 701, 801, 901, 1501, AND 2203 AND ADD ARTICLE 2.I TO THE CITY ZONING ORDINANCE AND AMEND SECTION 5.2 OF THE OCEANFRONT RESORT DISTRICT FORM BASED CODE PERTAINING TO AFFORDABLE HOUSING ON NONPROFIT TAX EXEMPT PROPERTIES

Staff Recommends <u>Approval</u>

Planning Commission voted 6 to 4 to recommend <u>Approval</u>

ITEM 11 – CITY OF VIRGINIA BEACH

- Updates the Zoning Ordinance to comply with House Bill 1279
- Effective January 1, 2027; Expires January 1, 2031
- Development of a mixed-use or residential project by a nonprofit organization shall be allowed by-right and not require a rezoning or other legislative approval

ITEM 11 – CITY OF VIRGINIA BEACH

- Property must have been owned by the nonprofit for 5+ years prior to the application
- 60% of the housing units are for affordable housing at 80% or less of the area median income for rental units and up to 120% for for-sale units
- Does not apply to property within AICUZ or property zoned for or adjacent to land zoned for an industrial use
- Property must be served by or within an area planned for public water and sewer

ITEM 11 – CITY OF VIRGINIA BEACH

- Height: maximum of 45’ or height of tallest existing building within 500’, whichever is greater
- Max density: 20 units per acre, or the most intensive existing residential density within 500’, whichever is greater
- Setbacks: 10’ or the smallest setback allowed for any existing property within 500’, whichever is less
- Off-street parking requirements for residential uses: one space per dwelling unit
- Off-street parking requirements for non-residential uses: one space per 300 square feet of non-residential floor area, or the fewest parking spaces required by Section 203, whichever is less

ITEM 11 – CITY OF VIRGINIA BEACH

- Only discretionary use process has been eliminated. Projects are still required to submit site and building plans and comply with stormwater, building code, public utility standards, etc.
- During the Planning Commission meeting concerns around the ordinance language were mentioned. Staff has provided suggested language changes to the State. The proposed ordinance matches the current language from the State.