

MINUTES OF THE APRIL 22, 2026, PLANNING COMMISSION MEETING (MINUTES HAVE BEEN APPROVED):

Discussion of possible amendments to Section 35.2 of the City of Lynchburg Zoning Ordinance for Data Centers. (This item is a work session discussion. A public hearing will be held on May 27, 2026.)

Ms. Rachel Frischeisen, City Planner, provided the following presentation to the Commission. At the September 10, 2025 Planning Commission meeting, the Commission directed staff to gather information for potential ordinance updates regarding data centers. With Northern Virginia being considered the data center capital of the world, other localities within the state have made efforts to regulate data centers. Typically, data centers are located on large, flat, undeveloped land. Lynchburg does not have the available land area that data centers are looking for in comparison to what counties have to offer. This industry is continuing to grow and evolve. While there is no immediate need for an update to the ordinance, the demand for data centers is growing. Staff continue to learn about this evolving industry and are following the state level legislative conversations. Areas the Commission could consider for the regulation of data centers include impacts on energy and water consumption, noise, visual impact, air and water quality, and compatibility with adjacent properties. There is no set way to regulate data centers; localities within Virginia have utilized a wide range of regulations.

Commissioner Henderson asked Ms. Frischeisen how data centers are defined.

Commissioner Amy commented that he had seen data centers in Loudon County. They were massive buildings, the size of multiple football fields. Based on size alone it does not seem like Lynchburg would be an ideal choice for a data center.

Commissioner Gammon agreed that the necessary land for these data centers excludes much of Lynchburg. He noted that data centers seem to be more of a regional issue and asked if Campbell, Amherst, or Bedford County had any formal regulations for data centers.

Ms. Frischeisen replied that regulations vary by locality, each one handling data centers differently. Staff utilized Frederick County's ordinance as their primary example for structuring a draft ordinance for Lynchburg. Within Lynchburg's Zoning Ordinance, there are no restrictions specific to data centers. Currently the definition of data centers would allow for them, by-right, in all of Lynchburg's Business and Industrial Districts, as well as the IN-2, Institutional District 2. The current ordinance does not have land use standards specific to data centers, meaning that only the base district standards would apply to them. When considering how to regulate data centers, the focus should be on mitigating impacts on residents and surrounding land uses; preserving Business Districts for business uses as opposed to industrial uses; and evaluating data center proposals on a case-by-case basis. There are several possible updates that could be made to the ordinance, such as including a specific definition for data centers; and allowing for them only in Industrial Districts by Conditional Use Permit (CUP). Currently, data centers are allowed by-right, but this change would remove them from the Commercial Districts. She advised that I-1, Restricted Industrial District and I-2, Light Industrial District may not be the best fit for data centers because they are meant for lower impact industrial uses. She paused for Commissioner input.

Chair Rogers asked why IN-2, Institutional District 2, would not be considered for data centers.

Ms. Frischeisen explained that the reason behind removing data centers from the IN-2, Institutional District 2 was due to that district's logical connection with the B-5, General Business District. The IN-2 and B-5 district uses are almost identical.

Chair Rogers responded that Liberty University has a significant amount of land located along US 460 in the IN-2 District. He asked if it would be acceptable to leave IN-2 as a possible zoning district for data centers.

Commissioner Gammon responded that the Commission could modify the proposed definition for data

centers to permit businesses which have standalone data centers serving only their business. He commented that including utility substations in the data center definition could result in limitations on where those could be placed in the future. Data centers and utility substations are very different.

Ms. Frischeisen responded that it would only apply to those utility substations that would be associated with a data center. The definition could be revised to specify the primary purpose of data processing and telecommunications.

Commissioner Gammon said that a definition specifically for data centers, along with the proposed ordinance update that requires data centers to acquire a Conditional Use Permit, would solve most of the issues they are discussing.

Commissioner Perault agreed with Commissioner Gammon and proposed using the language "associated structure" in the definition to clarify

Commissioner Amy commented that currently, "Vault Data Centers" owns 901 Main Street, which is zoned B-4, Urban Commercial District.

Chair Rogers stated that there is a possibility that the footprint of data centers could become smaller, requiring less land. He asked whether it would be possible for the Commission to revise this proposed ordinance at a later date and questioned the impact the ordinance could have on future development.

Commissioner Perault responded that this would just be another step in the process, as anyone could come forward and request a rezoning.

Commissioner Cox asked what the concerns were regarding having data centers located in the city.

Commissioner Gammon responded that data centers consume land and are a massive strain on utilities.

Commissioner Cox commented that the utility issue is not necessarily the City's problem.

Ms. Frischeisen explained that there would be a level of concern for the City as data centers typically use potable water for cooling purposes.

Commissioner Cox responded that there were other methods of cooling besides potable water. He asked what the concern was that they were trying to address with this proposed ordinance update.

Commissioner Perault said that the goal was not to prohibit data centers, but to add restrictions so that a developer cannot build a data center by-right.

Ms. Frischeisen offered that requiring a Conditional Use Permit would allow for these issues to be discussed and worked through. The process allows the Commission to make an informed decision and recommendation to City Council when considering if a data center is an appropriate land use.

Commissioner Gammon said while data centers are necessary, there needs to be some restrictions to keep them from being built by-right. At a minimum, data centers should be reviewed by the City with residents having the ability to speak on it.

Commissioner Cox agreed with Commissioner Gammon and approved of the Industrial District restrictions. He said that the Commission needed to be clearer about the rules and regulations with this proposal. For example, the Verizon building would be considered a data center by the proposed definition of telecommunications and related equipment.

Chair Rogers agreed. He reiterated that data centers in the future may be smaller and the Commission would not want to restrict potential downtown development.

Ms. Frischeisen responded that the Commission does have the option to revisit the zoning ordinance at any point. She replied to Commissioner Cox's example noting that vertical data centers are uncommon and stating that non-conforming uses established prior to the ordinance amendment would be allowed to remain.

Commissioner Woodson asked if there were any key points from the Frederick County ordinance that stood out to City staff as particularly noteworthy.

Ms. Frischeisen replied yes, it will be addressed further in the presentation. She asked if the Commissioners had any further comments on the zoning restrictions for data centers.

Chair Rogers said he agreed with Commissioner Gammon. If noise, size, and/or sight lines are an issue, they could be addressed through the public hearing process.

Commissioner Henderson commented that data centers are a rapidly changing industry, which makes it difficult for the Commission to make long term decisions.

Commissioner Cox agreed. He stated that in ten (10) years, a data center could be able to fit in a building along Main Street.

Commissioner Gammon reiterated that the main points are that the City has a definition for data centers and that they go through the public hearing process.

Ms. Frischeisen responded that while they cannot foresee what data centers may become or what proposals could be presented, the City could be prepared and have the structure in place to be able to make informed land use decisions regarding data centers.

Chair Rogers asked if Department of Water Resources had any comments on this proposal.

Ms. Frischeisen responded that staff had consulted with the Department of Water Resources staff. Even though a data center in Lynchburg would be smaller than those found elsewhere there are still potential issues to consider – one being whether there is enough water capacity for a data center in that area of the City. Having a Conditional Use Permit process in place will allow the City to consider various factors including noise levels, water and energy usage, and other factors.

Commissioner Henderson asked if the Commission should consider energy usage as part of the definition for data centers; in particular, for existing businesses who decide a data center is a necessity for them.

Ms. Frischeisen replied that a specific energy usage level being included as part of the data center definition may be problematic in the future, as the industry is rapidly changing. The current industry standards for megawatt usage could be completely different in a few years. A distinction could be added to the existing definition to allow an accessory data center by a primary user.

Commissioner Gammon disagreed with adding the language to the definition. He said a distinction could possibly be made by whether or not the data center would be selling capacity to other users. He noted that requiring a Conditional Use Permit would allow the Commission to address the issue through the public hearing process.

Ms. Frischeisen said staff could investigate how to allow for small data centers by-right for use by institutions, such as hospitals and/or larger universities.

Commissioner Gammon replied that it did not need to be by-right; a Conditional Use Permit could still be required.

Commissioner Perault agreed with Commissioner Gammon. They should start this conservatively and revisit later if necessary.

Commissioner Cox asked if the proposed data center definition was taken from Frederick County's ordinance.

Ms. Frischeisen affirmed that the definition is based on Frederick County's code.

Ms. Frischeisen continued the presentation asking the Commission what thoughts they had on potential setback requirements.

Commissioner Cox responded that it would largely depend on the size and features of a data center.

Ms. Frischeisen replied that the Commission could establish a minimum setback as part of the Conditional Use Permit.

Commissioner Cox said he would propose five hundred (500) feet.

Commissioner Gammon responded that establishing a setback at this point seems unrealistic as the technology will most likely shrink in size.

Chair Rogers said he would want the setback to be lower but it would depend on the data center and its noise levels. He asked Ms. Frischeisen what the setback was for the Industrial Districts.

Ms. Frischeisen replied that for Industrial Districts adjoining Residential Districts there is a one hundred (100) foot minimum building setback.

Chair Rogers said that, based on the noise level, a condition could be required for an increased setback with the Conditional Use Permit.

Commissioner Amy asked requested map with an overlay of each proposed setback as a visual aid for the commissioners.

Commissioner Gammon reiterated that if the City has a definition for a data center and only permits them through a Conditional Use Permit, then all other issues can be addressed during the public hearing process.

Commissioner Cox responded that it would be better to have a minimum vegetation buffer and setback for data centers.

Commissioner Perault said that the buffers and setbacks may not be necessary, but they cannot allow data centers built to the property line. There needs to be some type of minimum.

Chair Rogers agreed and suggested a minimum of two hundred (200) feet.

Ms. Frischeisen said that the minimum setback for Industrial Districts adjoining residential is one hundred (100) feet.

Commissioner Cox asked if they would need to have a specified setback for data centers outside of the Industrial Districts. Currently, data centers are permitted by-right in Commercial Districts. If the ordinance continued to allow them in those districts, then the one hundred (100) foot setback would not apply, because that is only applicable when Industrial is adjoining a Residential district.

Ms. Frischeisen replied yes, if the ordinance continues to allow data centers in Commercial Districts, then the one hundred (100) feet would not apply unless the code is changed to require a specific data center setback.

Chair Rogers commented that there should at least be a minimum setback requirement.

Ms. Frischeisen asked whether the Commission is interested in setting a maximum height for these facilities.

Commissioner Cox asked if there were already height restrictions in place in Industrial Districts.

Ms. Frischeisen replied there were not.

Commissioner Perault asked if there were height requirements in other localities.

Ms. Frischeisen replied that staff could look further into it.

Commissioner Amy noted height restrictions for Loudon and Leesburg industrial districts and added that the Commission should strongly consider a height restriction for data centers.

Commissioner Cox suggested they should consider forty (40) feet for the height requirement.

Ms. Frischeisen continued the presentation covering several other land use standards the Commission could consider, including generator testing, screening of equipment, etc.

Commissioner Cox asked if roof mounted equipment would be counted toward the maximum height of the building.

Ms. Frischeisen replied that in the City's ordinance there can be an additional five (5) feet of height if the equipment is screened by a parapet. She continued the presentation, recommending the Commission consider setting standards and follow-up metrics for noise and water and energy usage. This could be required at the public hearing phase when the petitioner submits the CUP for consideration; in addition, the ordinance could require demonstrated compliance at follow-up intervals, typically five (5) years.

Chair Rogers suggested testing should be conducted in one (1) year instead of five (5) as the City already requires water flow tests once a year.

Commissioner Cox asked if the City already places requirements on businesses for the consumption of water and electricity.

Ms. Frischeisen replied yes, the City does have agreements in place for larger facilities that consume a lot of water, such as Frito-Lay.

Commissioner Cox asked if the City has any monitoring in place for electricity usage.

Ms. Frischeisen replied that the City does not. The goal here is to gain an understanding of what the Commission would like to include for data center regulation. She asked if the commissioners had any additional comments or suggestions for staff before they prepare a draft ordinance for the Commission to consider.

Commissioner Perault commented that the presentation had been informative and was what the Commission had requested. He asked if City Council should be involved with this initial step of the process.

Ms. Frischeisen replied that City Council would be briefed on the topic and if there were any changes Council would want, then they have the option to do so during their meeting. A change to the draft would not need to come back to the Planning Commission unless specified otherwise by City Council.

Commissioner Gammon asked if the data center definition would be changed as the Commission recommended.

Ms. Frischeisen replied yes, the language would be added.

Commissioner Amy recommended that the Commission should restrict data centers to only Industrial Districts.

Chair Rogers responded that IN-2 should still be included.

Commissioner Gammon agreed with Commissioner Amy.

Ms. Frischeisen said the next step in this process will be to come back to the Commission with a draft ordinance update. She asked the Commission if there was anything else they would like to bring up for consideration.

Chair Rogers responded that the Commission should strongly consider requiring noise testing annually.

Commissioner Cox said data centers should be allowed by CUP in Institutional Districts.