



## CITY COUNCIL WORK SESSION

Tuesday, January 13, 2026 | 4:00 PM

Council Chamber- City Hall

900 Church Street

Lynchburg, VA 24504

### AGENDA

**I. Welcome**

*Larry Taylor, Mayor*

**II. Work Session Agenda Overview**

*Wynter C. Benda, City Manager*

**III. Business Item Briefing(s)**

III.1. Lynchburg City Schools Request for FY 2025 Return of Fund Balance

III.2. CDBG and HOME Program Housing and Non-Housing Goals for the Fiscal Year 2027 Annual Action Plan

III.3. ~~286 Rockwell Road – Rezoning – Advertising Location for Shed Business~~

III.4. Zoning Ordinance Amendment — Abortion Clinics

III.5. Councilmember Faraldi - Redistricting Resolution

**IV. Work Session Agenda Items**

IV.6. Budget Update and Look Ahead

**V. Roll Call**

V.7. Councilmember Faraldi and Vice Mayor Diemer - 2nd Amendment Sanctuary Reaffirmation

**VI. Closed Session**

VI.8. Consideration of a closed meeting to discuss the lease or disposition of publicly held or City-owned real estate, where competition or bargaining is involved, and where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as amended; the subject of the closed meeting being specific to the leasing property at the Lynchburg Regional Airport.

VI.9. Consideration of a closed meeting to discuss the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the City would be adversely affected, pursuant to Section 2.2-3711(A)(6) of the Code of Virginia, 1950, as amended; the subject of the closed meeting being specific to contractual negotiations regarding City solid waste disposal.

VI.10. Consideration of a closed meeting to discuss appointments for vacancies to the following Boards and Commissions: Greater Lynchburg Transit Company, Lynchburg Redevelopment and Housing Authority, Lynchburg Parking Authority, Social Services Advisory Board, Blue Ridge Regional Jail Authority, Planning Commission, Lynchburg Regional Airport Commission, Community Development Advisory Committee, and Horizon Behavioral Health Board of Directors pursuant to Section 2.2-3711(A.) (1) of the Code of Virginia, 1950, as amended.





## AGENDA ITEM SUMMARY

### MEETING DATE

January 13, 2026

### PRESENTED BY

Donna Witt, Chief Financial Officer

### AGENDA ITEM # III.1

Lynchburg City Schools Request for FY 2025 Return of Fund Balance

### RECOMMENDATION

This item will appear for City Council vote on the January 27, 2026 General Business agenda. Consideration of adopting a resolution to amend the FY 2026 General Fund budget and appropriate \$3,317,910 from the Lynchburg City Schools FY 2025 Fund Balance.

### SUMMARY

Dr. Somerville-Midgett has requested the Lynchburg City School's (LCS) fund balance of \$3,317,910 from FY 2025 be returned to LCS. The request includes \$1,100,000 be returned to the Health Insurance Reserve, \$1,217,910 be appropriated to the LCS Textbook Reserve, and \$1,000,000 be appropriated to the Schools Capital Fund to establish a Vehicle Replacement Account. These items were approved by the City School Board at the December 16, 2025 meeting.

### PRIOR ACTION(S)

May 28, 2024 Adoption of the FY 2025 Budget

### FISCAL IMPACT

\$3,317,910 Appropriated for use by LCS

### CONTACT(S)

Donna Witt, Chief Financial Officer

### ATTACHMENT(S)

1. Final Fund Balance Request Year Ending 6.30.2025

### REVIEWED BY

Donna Witt, Chief Financial Officer

Date: January 06, 2026



---

Gregory Patrick, Deputy City Manager

Date: January 08, 2026



---

Alicia Finney, Clerk of Council

Date: January 08, 2026



LYNCHBURG CITY SCHOOLS

SCHOOL ADMINISTRATION BUILDING

915 Court Street  
P. O. Box 2497  
Lynchburg, VA 24505-2497

Wynter Benda, City Manager  
City of Lynchburg  
900 Church Street  
Lynchburg, VA 24504

Dear Mr. Benda,

At the December 16, 2025 Lynchburg City School Board meeting, the Board approved my request to seek the City's approval for the use of the Schools' FY 2025 fund balance. This request follows the completion of the FY 2025 audit, during which Brown Edwards reported a total Schools fund balance of \$3,317,910.

On behalf of the School Board, I respectfully request the return of these local fund balance savings. These funds were generated through careful management and the intentional use of state and federal resources to offset local spending. Redirecting these savings will allow us to address key needs that support long-term instructional and operational stability. The School Board recommends the following allocations:

**\$1,100,000 – Health Insurance Reserve Account**

This amount will restore the Health Insurance Reserve following the one-million-dollar draw approved during the FY 2025 budget process. Replenishing the reserve will help maintain stability for our employee health program and protect against unexpected cost increases.

**\$1,217,910 – Textbook Reserve Account**

This amount will replenish the Textbook Reserve following the FY 2024 third quarter adjustment. Restoring this reserve ensures that upcoming state adoption requirements and curriculum updates can be supported on schedule.

**\$1,000,000 – Vehicle Replacement Account (CIP PayGo Account)**

This funding will establish a dedicated vehicle replacement account to be held by the City. Lynchburg City Schools is developing a phased replacement plan for aging transportation and support vehicles. LCS has had to rely on year end funds to purchase and build a transportation and maintenance fleet. Setting aside these funds allows LCS to begin a structured replacement cycle focused on safety, reliability, and service continuity.

If the recommended actions are approved, they will help stabilize the division's long-term financial position and reduce future budget pressure for both the Schools and the City. Restoring these reserves and planning for scheduled fleet replacement will allow us to support instructional and operational needs without placing unexpected strain on the annual budget.

Thank you for your continued partnership and for considering this request. Lynchburg City Schools values its relationship with the City of Lynchburg, and we remain committed to responsible financial management in service to our students and community.

Sincerely,

*Kristy N. Somerville-Midgett*

Kristy N. Somerville-Midgett, Ed.D.  
Superintendent

**AGENDA ITEM SUMMARY****MEETING DATE**

January 13, 2026

**PRESENTED BY**

Melva Walker, Grants Manager

**AGENDA ITEM # III.2**

CDBG and HOME Program Housing and Non-Housing Goals for the Fiscal Year 2027 Annual Action Plan

**RECOMMENDATION**

*This item will appear for City Council vote on the January 27, 2026 Public Hearing agenda.* Approval of the Fiscal Year (FY) 2027 (Program Year 2026) Community Development Block Grant (CDBG) and HOME Program goals for the development of the Fiscal Year 2027 (Program Year 2026) Annual Action Plan and adoption of a resolution approving the goals.

**SUMMARY**

The Consolidated Plan for the CDBG and HOME Program was approved in June 2025 and covers the period from July 1, 2025 through June 30, 2029. This plan outlines the City's needs, goals, and objectives for community development (both housing and non-housing areas). HUD requires Community Development Block Grant (CDBG) and HOME Program entitlement communities to review the goals in the Plan on an annual basis. City Council will be seeking the input of citizens and other interested parties regarding the approved goals at the public hearing. A 15-day public comment period to receive citizen input regarding the goals will be initiated on January 9, 2026 through a legal notice published in *The News and Advance*.

**PRIOR ACTION(S)**

January 28, 2025: Housing and Non-Housing Goals for 2025-2029 Consolidated Plan Prepared by the Community Development Advisory Committee and Recommended to City Council.  
February 25, 2025: Housing and Non-Housing Goals for 2029-2025 Consolidated Plan Adopted by City Council  
June 10, 2025: 2025-2029 Consolidated Plan Approved by City Council.

**FISCAL IMPACT**

To be determined through CDBG and HOME funding allocations.

**CONTACT(S)**

Melva Walker, Grants Manager

**ATTACHMENT(S)**

1. Presentation

2. Proposed Goals - CDBG HOME FY 2027

REVIEWED BY



William Martin, Community Development Director

Date: December 29, 2025



Kent White, Assistant City Manager

Date: January 05, 2026



Alicia Finney, Clerk of Council

Date: January 08, 2026

# COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME PROGRAM 2025-2029 FIVE-YEAR CONSOLIDATED PLAN AND FISCAL YEAR 2027 ANNUAL ACTION PLAN GOALS (HOUSING AND NON HOUSING)

January 13, 2026



# PURPOSE & ACTION

## Purpose:

- City Council will be seeking the input of citizens and other interested parties on these goals.
- Following a public hearing in January, adopt housing and non-housing goals for the Annual Action Plan.

## Why:

The Department of Housing and Urban Development requires CDBG and HOME program entitlement communities to review the goals annually.

# HOUSING GOALS

- Support initiatives to increase permanent affordable housing in the rental markets. Increase the number of owner-occupied units. Emphasis to be placed on creating affordable units for all income levels.
- Support the preservation of affordable housing in both the rental and sales markets, including the rehabilitation of substandard housing.
- Support efforts for the identification and remediation of rental housing in substandard conditions.

# NON-HOUSING GOALS

- Support the improvements to public facilities and infrastructure.
- Support efforts for the removal and redevelopment of dilapidated and condemned structures to eliminate neighborhood deterioration, blight and blighting influences.
- Support neighborhood partnerships that facilitate self-sufficiency and enable families and individuals to maintain their housing, remain in their neighborhoods, and age in place.
- Support efforts that align with the goals of the City's economic development plans to improve the economic base, job skills, and health of the community.

# NON-HOUSING GOALS

- Promote public service activities which support the healthy development of the City's at-risk youth, adults, and families.
- Support efforts to develop, sustain, and coordinate a comprehensive, seamless system of services for homeless citizens in order to move the homeless population toward obtaining permanent housing.
- Support efforts to remove barriers to escape poverty and strengthen low-income households and families.

# EXPECTED ACTION

- The 15-day public comment period was initiated on January 9, 2026, by a legal notice being published in *The News and Advance* and through various forms of social media and email communications.
- This item will appear for City Council vote on the January 27, 2026 Public Hearing agenda.



2025-2029 FIVE-YEAR CONSOLIDATED PLAN (CP) AND FISCAL YEAR  
(FY) 2027 ANNUAL ACTION PLAN PROPOSED GOALS FOR THE COMMUNITY  
DEVELOPMENT BLOCK GRANT (CDBG) AND HOME PROGRAM

HOUSING GOALS

- Support initiatives to increase permanent affordable housing in the rental markets. Increase the number of owner-occupied units. Emphasis to be placed on creating affordable units for all income levels.
- Support the preservation of affordable housing in both the rental and sales markets, including the rehabilitation of substandard housing.
- Support efforts for the identification and remediation of rental housing in substandard conditions.

NON-HOUSING GOALS

- Support the improvements to public facilities and infrastructure.
- Support efforts for the removal and redevelopment of dilapidated and condemned structures to eliminate neighborhood deterioration, blight and blighting influences.
- Support neighborhood partnerships that facilitate self-sufficiency and enable families and individuals to maintain their housing, remain in their neighborhoods, and age in place.
- Support efforts that align with the goals of the City's economic development plans to improve the economic base, job skills, and health of the community.
- Promote public service activities which support the healthy development of the City's at-risk youth, adults, and families.
- Support efforts to develop, sustain, and coordinate a comprehensive, seamless system of services for homeless citizens in order to move the homeless population toward obtaining permanent housing.
- Support efforts to remove barriers to escape poverty and strengthen low-income households and families.

**AGENDA ITEM SUMMARY****MEETING DATE**

January 13, 2026

**PRESENTED BY**

Rachel Frischeisen, City Planner

**AGENDA ITEM # III.3**~~286 Rockwell Road – Rezoning – Advertising Location for Shed Business~~**RECOMMENDATION**

*This item will appear for City Council vote on the January 27, 2026, Public Hearing agenda. Denial of the petition to rezone 286 Rockwell Road from B-3, Community Business District to B-5C, General Business District (Conditional) to allow for the use of the property as an advertising location for a shed business.*

**SUMMARY**

Grit Land Company, LLC is petitioning to rezone approximately two hundred sixty-seven thousandths (0.267) of an acre from B-3, Community Business District to B-5C, General Business District (Conditional) at 286 Rockwell Road to allow for the use of the property as an advertising location for a shed business.

The City's *Comprehensive Plan 2013-2030* recommends Low Density Residential for the property. The property is currently in violation of the City's Zoning Ordinance. The current use is not permitted in the existing B-3, Community Business District. The property owner is proposing to rezone the property to resolve the violation. The property is located directly adjacent to US 460 and a residential neighborhood. US 460 is a major gateway to the City, as many residents and visitors use this route to enter Lynchburg. The *Comprehensive Plan 2013 – 2030* articulates goals such as building strong neighborhoods and enhancing the attractiveness of gateways and travel corridors. The plan also notes that “visual qualities and entry experience at each gateway” should be considered.

The petition for a FLUM amendment from Low Density Residential to Employment 2 was withdrawn by the petitioner on January 5, 2026.

**PRIOR ACTION(S)**

November 13, 2025: The Planning Commission recommended denial (5-0, with 2 absent: Gammon, Young-Jefferson) of the FLUM amendment and rezoning petitions.

November 13, 2025: The Planning Division recommended denial of the FLUM amendment and rezoning petitions.

**FISCAL IMPACT**

N/A

## CONTACT(S)

Rachel Frischeisen, City Planner  
Kevin Henry, Zoning Administrator

## ATTACHMENT(S)

1. Presentation
2. Planning Commission Minutes, Report, and Attachments
3. Citizen Email

## REVIEWED BY



William Martin, Community Development Director

Date: December 16, 2025



Kent White, Assistant City Manager

Date: January 05, 2026



Alicia Finney, Clerk of Council

Date: January 08, 2026

# 286 ROCKWELL ROAD REZONING

Tuesday, January 13, 2026



# PURPOSE & ACTION

## Purpose:

Petition of Grit Land Company, LLC to rezone approximately two hundred sixty-seven thousandths (0.267) of an acre located at 286 Rockwell Road to allow for the use of the property as an advertising location for a shed business.

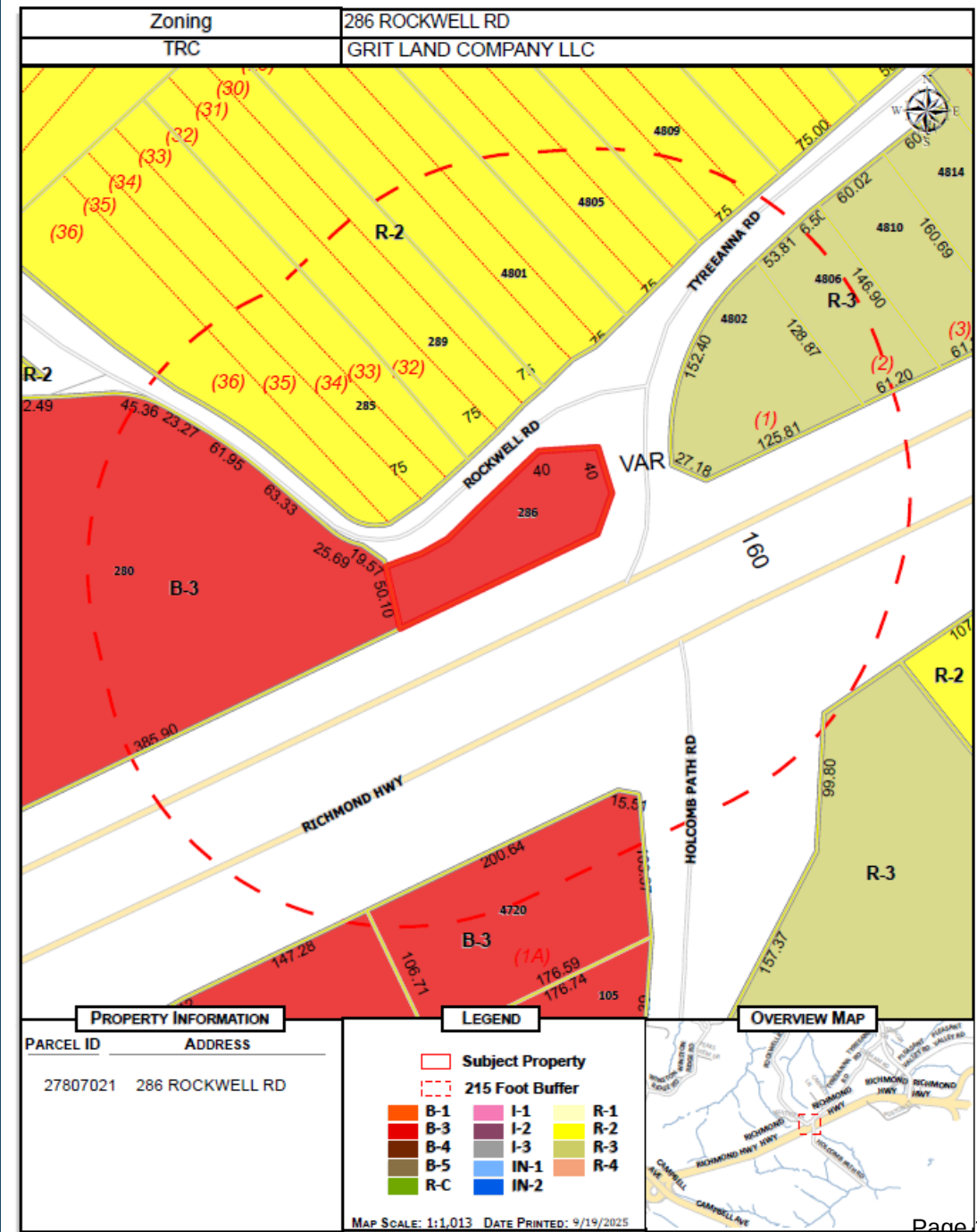
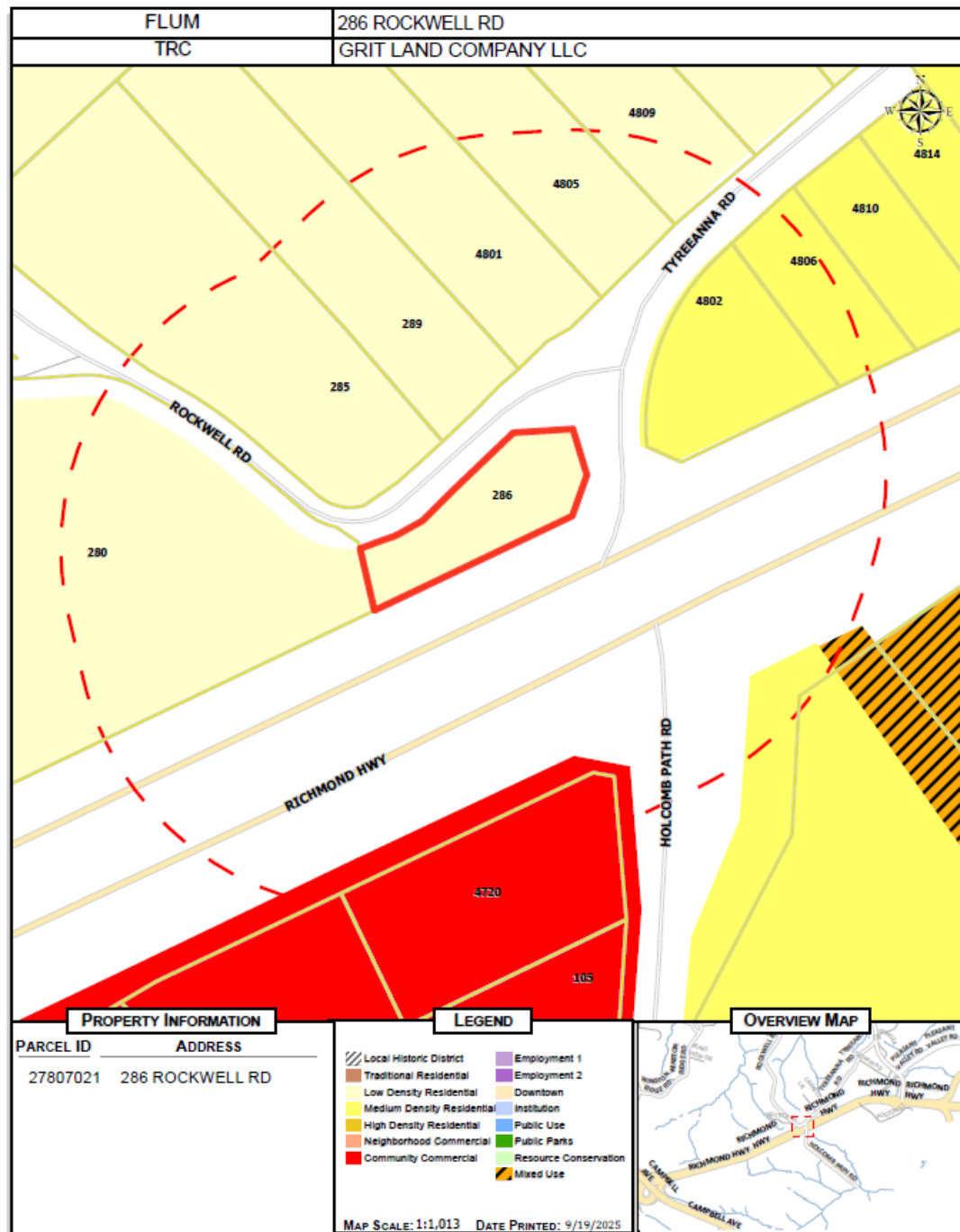
## Recommendation:

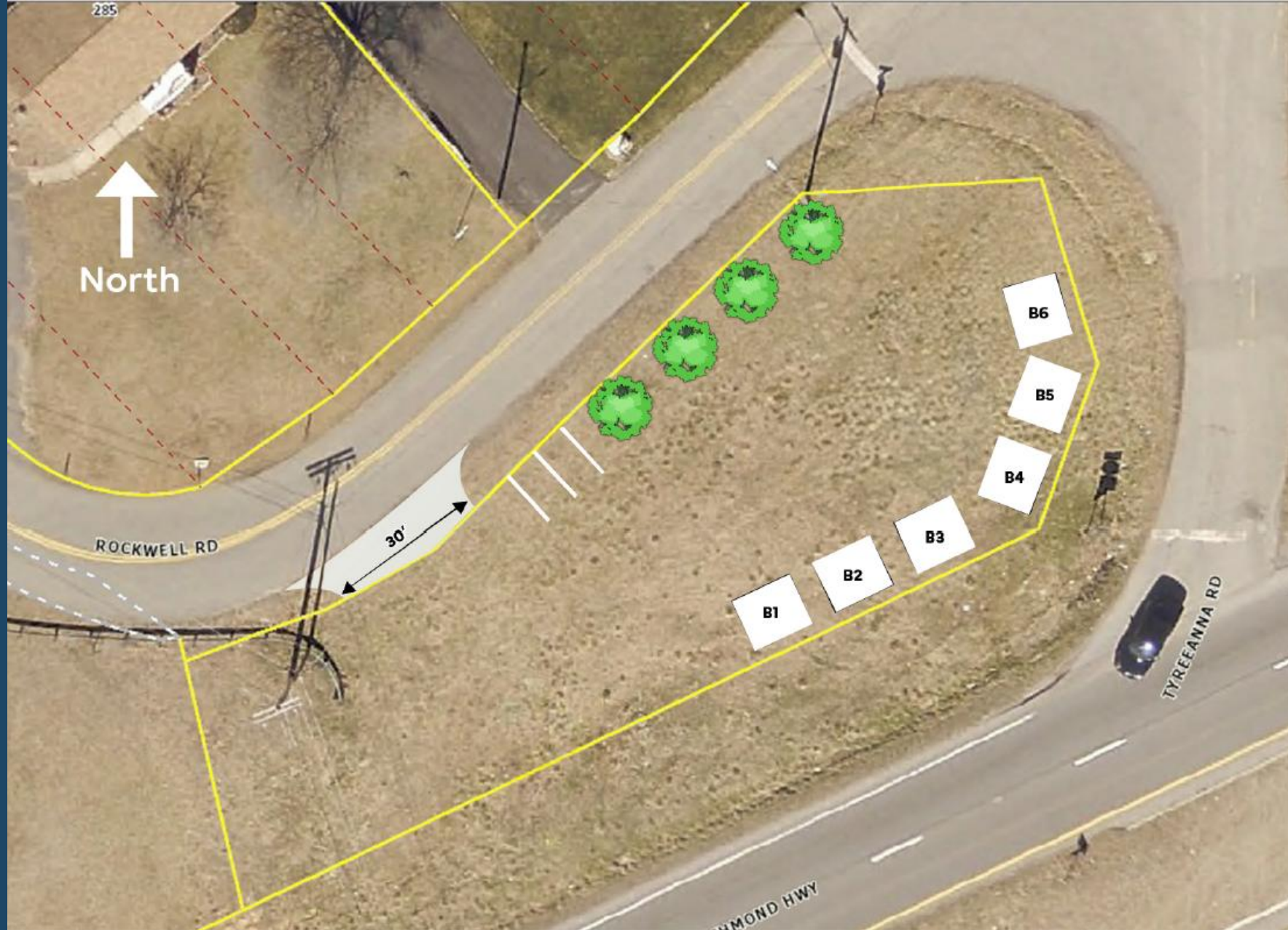
The Planning Commission recommended denial (5-0, with 2 absent) of the FLUM amendment and rezoning petitions. (The petition for a FLUM amendment has since been withdrawn by the petitioner.)

## Action:

A City Council public hearing will be held on January 27, 2026.







**Proposed Site Plan**  
**Location: 286 Rockwell Rd.**

Owner : Grit Land Co LLC

434-665-4836  
RobertBWallace1@gmail.com



US 460 – View from Eastbound Lane



US 460 – View from Westbound Lane

**MINUTES OF THE NOVEMBER 13, 2025 PLANNING COMMISSION MEETING (MINUTES HAVE BEEN APPROVED):**

**Petition of Grit Land Company, LLC to amend the Future Land Use Map (FLUM) from Low Density Residential to Employment 2 and to rezone approximately two hundred sixty-seven thousandths (0.267) of an acre located at 286 Rockwell Road from B-3, Community Business District to B-5C, General Business District (Conditional) to allow for use of the property as an advertising location for a shed business.**

Ms. Rachel Frischeisen, City Planner, provided the following summary to the Commission. The purpose of this petition is to allow for the use of the property as an advertising location for a shed business at 286 Rockwell Road. The *Comprehensive Plan's* Future Land Use Map (FLUM) recommends Low Density Residential use for the property. These areas are typically dominated by single family detached housing. The petition proposes to amend the FLUM to Employment 2. These areas include light and heavy manufacturing, research and development, flex space, and large-scale office uses. Employment 2 differs primarily from Employment 1 in that it permits heavy industrial uses. The subject properties were annexed into the City in 1976. The existing B-3, Community Business District zoning was established in 1978. The property is approximately two hundred sixty-seven thousandths (0.267) of an acre. There are no permanent improvements located or proposed here at this time. The site currently has prefabricated sheds and signage for a shed business, which is located in Campbell County. The property is currently in violation of the City's Zoning Ordinance. The Zoning Administrator has determined that the use of the property as an advertising location for the shed business would be classified under the Lumber Yard and Building Materials category in the City's Zoning Ordinance. This use is not allowed in the current B-3 District. The property owner was cited with a notice of violation on August 26, 2025, and proposes to rezone the property to resolve the violation.

The shed business currently using this site for advertising is located approximately ten (10) miles away on Timberlake Road. Per the City's sign ordinance, Sec. 35.2-64.14 only signs pertaining to the uses conducted on the premises are to be permitted. The proposed use would essentially function as offsite advertising, since no operations are taking place on the site. The property is bound to the north by single family homes across Rockwell Road, to the east by a billboard and single household homes across Tyreeanna Road, to the west by a church, and to the south by U.S. Route 460. While the use of the property as an advertising location for a shed business would be relatively low-impact when compared to some other commercial uses, there are additional uses that would be allowed by the proposed rezoning. Per City Code, when making decisions on rezoning petitions, the entire range of uses that would be allowed by the proposed zoning district should be considered. The submitted proffer prohibits some of the uses that would be considered unfavorable when located adjacent to single household residences, yet, uses such as auto sales, lumber yards, heavy equipment storage, and others would still be permitted. While the property may be too small to support some of those uses, approval of the rezoning to allow the use of the property as an advertising location for one B-5 use would also allow it to be used as an advertising location for other B-5 uses. So, if sheds can be placed here for advertising visibility, then the property could also display automobiles for sale, or display heavy equipment for rent, etc. The proposed FLUM amendment to Employment 2 would align more closely with the proposed B-5C, General Business District (Conditional) than the current Low-Density Residential designation. However, since Employment 2 areas are meant to primarily be industrial, this FLUM designation could be more detrimental to the nearby residential neighborhood. Although the property is small, approval of the petitions could set precedence for more intense industrial and commercial land uses in the area. The proposed B-5, General Business District, zoning would be more typically aligned with Community Commercial areas on the FLUM. The *Tyreeanna & Pleasant Valley Neighborhood Plan* was adopted in 2022 and identifies U.S. Route 460 as a City gateway, meaning it is a major entry point to Lynchburg. The neighborhood plan and the *Comprehensive Plan* both include goals of building strong neighborhoods and enhancing the attractiveness of gateways and travel corridors. The *Comprehensive Plan* also notes that "visual qualities and entry experience at each gateway" should be considered. The proposed use and other potential B-5 uses may impede these goals. The Technical Review Committee (TRC) reviewed the petition on September 30, 2025. The Planning division recommends denial of the petitions.

Chair Rogers asked if there was anyone present to speak on behalf of the petition.

Mr. Robert Wallace of Grit Land Company, LLC, was present to represent the petition. At the time of purchase, Grit Land Company, LLC representatives believed that storage buildings were allowed on the

property because the B-3 district allows for the manufacturing of storage buildings. The owner was notified that they were in violation of code after they leased the property to a storage building company. Mr. Wallace stated that the parcel has everything a commercial property needs, as it is next to U.S. Route 460. He added that the property would not work well for residential use, citing highway noise and litter. He explained that the storage buildings are at this location for advertisement; the location is not staffed and storage buildings are not being sold there. He added that the same six (6) sheds have been located there since the start of the lease, and the business is not moving sheds in and out of this location. He concluded that this use is the lowest density use for the property, with no permanent buildings, employees, or lighting. He recognized that there are other commercial areas in the Tyreeanna neighborhood and suggested that this use would align with others within the neighborhood. He noted the small lot size, of a quarter of an acre, and its limitations, noting that there is not room to build any new structure, given the setback requirements.

Chair Rogers asked if there was anyone present to speak in favor of the petition.

Chair Rogers asked if there was anyone present to speak in opposition to the petition.

Mr. Roy Templeton said that no one would want these storage sheds in front of their home and reported that the sheds are visible from his home. He added that it is not a practical location for the sheds, since there is not direct access to the site from U.S. Route 460. Motorists would need to exit U.S. Route 460 to Concord Turnpike to even get to the property. He continued that it is not a good site for advertisement, because motorists will not be able to see or read the advertisements at a speed of 60 miles per hour. He concluded that there are efforts to make the neighborhood look better and this use would not help.

Ms. Wanda Womack said she agreed with everything Mr. Templeton stated. She emphasized that the road beside the property was an exit only. She observed a driver enter the exit only lane to get a closer look at the sheds while she was in the exit lane. She added that these buildings could distract drivers, causing them to look away from the road or slow down, and with traffic coming over the hill at the speed of 70 miles per hour, it is dangerous. She concluded that this is a residential area, not commercial, and those sheds should not be there.

Chair Rogers offered the petitioner a chance for a rebuttal.

Mr. Wallace replied that they plan to plant some trees to make a vegetation buffer between the business and the residents. He addressed the concern over motorists turning into the exit only, explaining that if someone wanted to get to the property, then they would need to go the same way everyone else does, via Concord Turnpike.

Chair Rogers asked about signage on the property.

Mr. Wallace replied that in B-3 zoning, 4'x8' signs are allowed. He explained that they had sent in an application for signage, one sign per street frontage and that they currently have them on the side of the buildings.

Commissioner Henderson asked if they owned any land adjacent to the property.

Mr. Wallace replied that they did not.

Commissioner Cox asked Ms. Frischeisen if the City had any requirements or documents for the gateway corridor which specify what is and is not allowed in gateway areas.

Ms. Frischeisen replied that there is not a gateway zoning overlay to dictate that. The existing billboard on the adjacent property is likely nonconforming. The information on gateways was referenced because the *Comprehensive Plan* and the *Tyreeanna and Pleasant Valley Neighborhood Plan* both specifically call out the goal of building welcoming and attractive gateways, which is something Planning Commission and Council should consider when land use changes are proposed near gateways. There is no definitive list of what is right or wrong for a gateway, it is more of a judgement call for the Commission to consider when making a recommendation on whether this is an appropriate gateway into the City.

Commissioner Perault asked what would be allowed regarding the billboard if it is nonconforming.

Ms. Frischeisen replied the billboard was across from the subject property and was not relevant to petition before them.

Commissioner Perault considered whether or not everything would be removed from the parcel if the petition were denied. He asked if the existing signage would be allowed.

Ms. Frischeisen replied no, the use is not permitted by the B-5 District.

Chair Rogers asked, if signage is permitted in B-3, could they have a 4'x8' foot sign.

Ms. Frischeisen responded that the purpose of the petition was to allow for what is there currently to remain.

Chair Rogers clarified that he was asking what the land could be used for if this use did not work out.

Ms. Frischeisen replied it would need to be a permitted B-3 District use. There are some limitations due to setbacks and buffering, but a smaller commercial use permitted by the B-3 District could be feasible.

Commissioner Cox asked if allowing this use would set a precedent to allow for other uses such as sale of automobiles or heavy equipment.

Ms. Frischeisen replied that the Zoning Administrator's interpretation is that B-5 District zoning would allow the use of this location as an advertising location for a business permitted in the district. If in this case the shed is the advertising, then it would follow that other materials such as heavy equipment, lumber, stone, or used automobiles could also be advertised here.

Commissioner Cox asked Ms. Frischeisen if a landscaping supply would be permitted on the site.

Commissioner Woodson commented that he spoke to the residents of the area. The comments he received back were that residents consider the sheds to be an eyesore. He added that sheds are a high-ticket item and people usually want to park and take a look at them before purchasing. Other concerns that he heard were that there was no available parking along that street and that the sheds were not secured and could cause damage to nearby residential property in the event of a strong storm. Commissioner Woodson said he was inclined to agree with the concerns of the residents he spoke with and of those who spoke at the meeting.

Ms. Frischeisen replied to Commissioner Cox's question that a landscaping supply store would be permitted if this property was zoned B-5.

Chair Rogers said that he was conflicted as he understood the owner's investment in the land with its limited use, and also the City's efforts to bring back residential friendly spaces. The City has developed a plan with the neighborhood and would like to keep with that direction. He supports denying the proposal.

Commissioner Henderson said he agreed and he was grounding his decision on the basis of the adoption of the *Tyreeanna and Pleasant Valley Neighborhood Plan*. It aligns with the *Comprehensive Plan*, with the idea of building strong neighborhoods and enhancing the attractiveness of the City's gateways. He appreciated the creativity of trying to make the best use of the land, but he is inclined to deny the petition.

Commissioner Woodson commented there are nice homes, including new ones, along that road.

Commissioner Perault commented that there was a public meeting for the neighborhood plan just recently. While it did not cover this petition specifically, the majority of the general comments reflected the nature of what Commissioner Woodson heard, including an interest in trying to preserve the neighborhood and keep it looking good.

Commissioner Cox said that he agreed with the recommendation for denial, given that this is a gateway, a first impression, into the community. He appreciated the residents' perspectives that had been brought forward to the Commission.

Commissioner Henderson made the following motion, seconded by Commissioner Cox. The motion to deny passed by the following vote:

**"Based on the preceding Findings of Fact, the Planning Commission recommends to City Council denial of the petition of Grit Land Company LLC to:**

- **Amend the Future Land Use Map from Low Density Residential to Employment 2 at 286 Rockwell Road; and**
- **Rezone approximately two hundred sixty-seven thousandths (0.267) of an acre located at 286 Rockwell Road from B-3, Community Business District, to B-5C, General Business District (Conditional) and to subject to the following condition:**

**The following B-5 uses will be prohibited on the property:**

- 1. Animal Production**
- 2. Licensed Massage Therapist**
- 3. Tattoo Parlor**
- 4. Adult Retail Establishment**
- 5. Short-Term Loans**
- 6. Pawn Shops**
- 7. Beer, Wine, Vape, and Liquor Store**
- 8. Bed & Breakfast and Tourist Homes**
- 9. Boarding House**
- 10. Rooming House"**

AYES: Cox, Henderson, Perault, Rogers, Woodson

5

NOES:

0

ABSTENTIONS:

0

ABSENT: Gammon, Young-Jefferson

2

# **The Department of Community Development**

**City Hall, Lynchburg, VA 24504** **434-455-3900**

---

**To:** Planning Commission  
**From:** Planning Division  
**Date:** November 13, 2025  
**Re:** **FUTURE LAND USE MAP (FLUM) AMENDMENT: Low Density Residential to Employment 2**  
**REZONING: B-3, Community Business District, to B-5C, General Business District (Conditional) – 286 Rockwell Road**

---

## **I. PETITIONER**

Robert Wallace, Grit Land Company LLC, 68 Long Mountain Drive, Lynchburg, Virginia 24504

**Property Owner:**

Same as petitioner.

## **II. LOCATION**

The subject property contains approximately two hundred sixty-seven thousandths (0.267) of an acre located at 286 Rockwell Road.

## **III. PURPOSE**

The purpose of the petition is to allow for the use of the property as an advertising location for a shed business.

## **IV. SUMMARY**

- The City's *Comprehensive Plan 2013-2030* recommends Low Density Residential for the property. The petition proposes to amend this to Employment 2.
- This property is currently in violation of the City's Zoning Ordinance. The current use is not permitted in the existing B-3, Community Business District. The property owner is proposing to rezone the property to resolve the violation.
- The property is located directly adjacent to US 460 and a residential neighborhood. US 460 is a major gateway to the City, as many residents and visitors use this route to enter Lynchburg. The *Comprehensive Plan 2013 – 2030* articulates goals such as building strong neighborhoods and enhancing the attractiveness of gateways and travel corridors. The plan also notes that "visual qualities and entry experience at each gateway" should be considered.

**The Planning Division recommends denial of the Rezoning and FLUM Amendment petitions.**

---

## **V. FINDINGS OF FACT**

1. **Comprehensive Plan.** The *Comprehensive Plan 2013-2030* Future Land Use Map (FLUM) recommends a Low Density Residential use for 286 Rockwell Road. Low Density Residential areas are dominated by single family detached housing at densities of up to four dwelling units per acre. (p. 72)

The petition proposes to amend the FLUM to Employment 2. These areas are intended to include light and heavy manufacturing, research and development, flex space, and large-

scale office uses. Restaurant, hotel and business service uses are also appropriate, if sized and designed to serve the employment area. Employment 2 differs primarily from Employment 1 in that it permits heavy industrial uses.

The *Tyreeanna & Pleasant Valley Neighborhood Plan* was adopted by City Council on May 24, 2022. The plan identifies US 460 as a major gateway to the City, as many residents and visitors alike use this route to enter Lynchburg. The plan echoes goals articulated in the *Comprehensive Plan 2013 – 2030*, including: building strong neighborhoods and enhancing the attractiveness of gateways and travel corridors. The Comprehensive Plan also notes that “visual qualities and entry experience at each gateway” should be considered.

2. **Zoning.** The subject properties were annexed into the City in 1976. The existing B-3, Community Business District zoning was established in 1978.

This property is currently in violation of the City’s Zoning Ordinance. The Zoning Administrator has determined that the use of the property as an advertising location for the shed business would be classified under the Lumber Yard and Building Materials (LCBS 2126) category in the City’s Zoning Ordinance. This use is not allowed in the current B-3, Community Business District. The property owner was cited with a notice of violation on August 26, 2025, and proposes to rezone the property to resolve the violation.

3. **Proffers.** The petitioner voluntarily submitted the following proffer with the rezoning application:

The following B-5 uses will be prohibited on the property:

1. Animal Production
2. Licensed massage therapist
3. Tattoo parlor
4. Adult retail establishment
5. Short-term loans
6. Pawn Shops
7. Beer, wine, Vape, and liquor store
8. Bed & Breakfast and Tourist Homes
9. Boarding house
10. Rooming House

4. **Board of Zoning Appeals (BZA).** The Zoning Administrator has determined that no variances are needed for the use of the property as proposed.
5. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
  - On July 14, 1981, City Council approved the rezoning petition of C. Terrell Templeton, Jr. to rezone 110 and 114 Holcomb Path Road from R-2, Low-Medium Density Residential District to R-3, Medium Density Residential District for a residential subdivision.
  - On October 14, 1986, City Council approved the rezoning petition of Templeton & Co., Inc. to rezone four (4) acres located near the intersection of Holcomb Path Road and Richmond Highway from R-3, Single-Family Residential District to B-3C, Community Business District (Conditional) to allow retail offices and businesses.

- On December 14, 1993, City Council approved the rezoning petition of the Herbert B. Falwell Estate to rezone 337 Holcomb Path Road from I-2, Light Industrial District to R-2C, Single Family Residential District for a residential subdivision.
- On October 11, 1994, City Council approved the Conditional Use Permit petition of Peter and Theresa Hahn for a carwash facility at 4716 Richmond Highway.
- On February 24, 1998, City Council approved the rezoning petition of Roy Templeton to rezone 4928 Richmond Highway from R-2, Single-Family Residential District to B-3C, Community Business District (Conditional) to allow the construction of a convenience store and gas station.
- On July 8, 2003, City Council approved the Tyreeanna / Pleasant Valley Neighborhood Plan.
- On April 24, 2013, City Council approved the Campbell Avenue / Odd Fellows Road Land Use & Corridor Master Plan.
- On October 9, 2019, City Council approved the Conditional Use Permit petition of Appalachian Power Company to relocate an electrical transmission line at 4708 Richmond Highway, 111 and 203 Holcomb Path Road, 127 Aultice Lane and 280 Rockwell Road.
- On May 24, 2022, City Council approved the updated Tyreeanna & Pleasant Valley Neighborhood Plan.

6. **Site Description.** The property at 286 Rockwell Road is approximately two hundred sixty-seven thousandths (0.267) of an acre. There are no permanent improvements on the site. The site currently has prefabricated sheds and signage for the shed business, which is located in Campbell County.

The property is bound to the north by single family homes across Rockwell Road, to the east by a nonconforming billboard and single household homes across Tyreeanna Road, to the west by a church, and to the south by US 460.

7. **Proposed Use of Property.** If the petition is approved, the site will continue to be used as an advertising location for a shed business located in Campbell County at 20530 Timberlake Road.
8. **Traffic, Parking and Public Transit.** The City Engineer did not require a traffic study for the proposed use.

The area is not served by the Greater Lynchburg Transit Company (GLTC).

9. **Stormwater Management.** An Erosion & Sediment Control Plan will be required if any land disturbance on the site exceeds one thousand (1,000) square feet. Stormwater Management will be required if land development exceeds five thousand (5,000) square feet of disturbance.
10. **Emergency Services.** The City's Fire Marshal and Police Department had no comments of concern regarding the petition.
11. **Impact.** The petition proposes to rezone the property at 286 Rockwell Road for use as an advertising location for a shed business located approximately ten (10) miles away at 20530 Timberlake Road in Campbell County. Per Sec. 35.2-64.14, "Signs pertaining only to the uses conducted **on the premises**, but not including any roof signs or billboards, will be permitted, subject to the provisions of [the sign ordinance]." The proposed use would essentially function as offsite advertising, since no operations are taking place on the site.

While the use of the property as an advertising location for a shed business would be relatively low-impact when compared to other commercial uses, there are additional uses that would be allowed by the proposed rezoning to B-5C, Community Business District (Conditional). Per Sec. 35.2-11.7, “Council shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification except as proffered as part of a conditional rezoning. Rather, the Council shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification.” The submitted proffer prohibits some of the uses that would be considered unfavorable when located in close proximity to single household residences, yet uses such as auto sales, lumber yards, heavy equipment storage, etc. would be permitted. Even if the property is too small to support such uses, approval of the rezoning to allow the use of the property as an advertising location for one B-5 use would also allow it to be used as an advertising location for other B-5 uses.

The proposed FLUM amendment to Employment 2 would align more closely with the proposed B-5C, General Business District (Conditional) than the current Low Density Residential designation. However, Employment 2 areas are intended to include light and heavy manufacturing, research and development, flex space, and large-scale office uses. Restaurant, hotel and business service uses are also appropriate, if sized and designed to serve the employment area. Employment 2 differs primarily from Employment 1 in that it permits heavy industrial uses. Since Employment 2 areas are meant to primarily be industrial, this FLUM designation could be more detrimental to the nearby residential neighborhood. Although the property is small, approval of the petitions could set precedence for more intense industrial and commercial land uses in the area. B-5, General Business District zoning would be more typically aligned with Community Commercial areas on the FLUM.

The *Tyreeanna & Pleasant Valley Neighborhood Plan* identifies US 460 as a major gateway to the City, as many residents and visitors alike use this route to enter Lynchburg. The plan echoes goals articulated in the *Comprehensive Plan 2013 – 2030*, including: building strong neighborhoods and enhancing the attractiveness of gateways and travel corridors. The Comprehensive Plan also notes that “visual qualities and entry experience at each gateway” should be considered. The proposed use and other potential B-5 uses should be carefully considered, as they may impede these goals.

12. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the petition on September 30, 2025. Comments are noted in this report.

## VI. PLANNING DIVISION RECOMMENDATION

**Based on the preceding Findings of Fact, the Planning Commission recommends to City Council denial of the petition of Grit Land Company LLC to:**

- **Amend the Future Land Use Map from Low Density Residential to Employment 2 at 286 Rockwell Road; and**

- **Rezone approximately two hundred sixty-seven thousandths (0.267) of an acre located at 286 Rockwell Road from B-3, Community Business District, to B-5C, General Business District (Conditional) and to subject to the following condition:**

**The following B-5 uses will be prohibited on the property:**

- 1. Animal Production**
- 2. Licensed Massage Therapist**
- 3. Tattoo Parlor**
- 4. Adult Retail Establishment**
- 5. Short-Term Loans**
- 6. Pawn Shops**
- 7. Beer, Wine, Vape, and Liquor Store**
- 8. Bed & Breakfast and Tourist Homes**
- 9. Boarding House**
- 10. Rooming House**

This matter is respectfully offered for your consideration.



Rachel Frischeisen  
City Planner

pc: Wynter Benda, City Manager  
Greg Patrick, Deputy City Manager  
Kent White, Assistant City Manager  
Tom Martin, Director of Community Development  
Matthew Freedman, City Attorney  
J. Lee Newland, City Engineer  
Cynthia Kozerow, Lynchburg Police Department  
Candace Brown, Fire Marshal  
Doug Saunders, Building Official  
Kevin Henry, Zoning Administrator  
Robert Wallace, Grit Land Company LLC, Petitioner & Property Owner

## **VII. ATTACHMENTS**

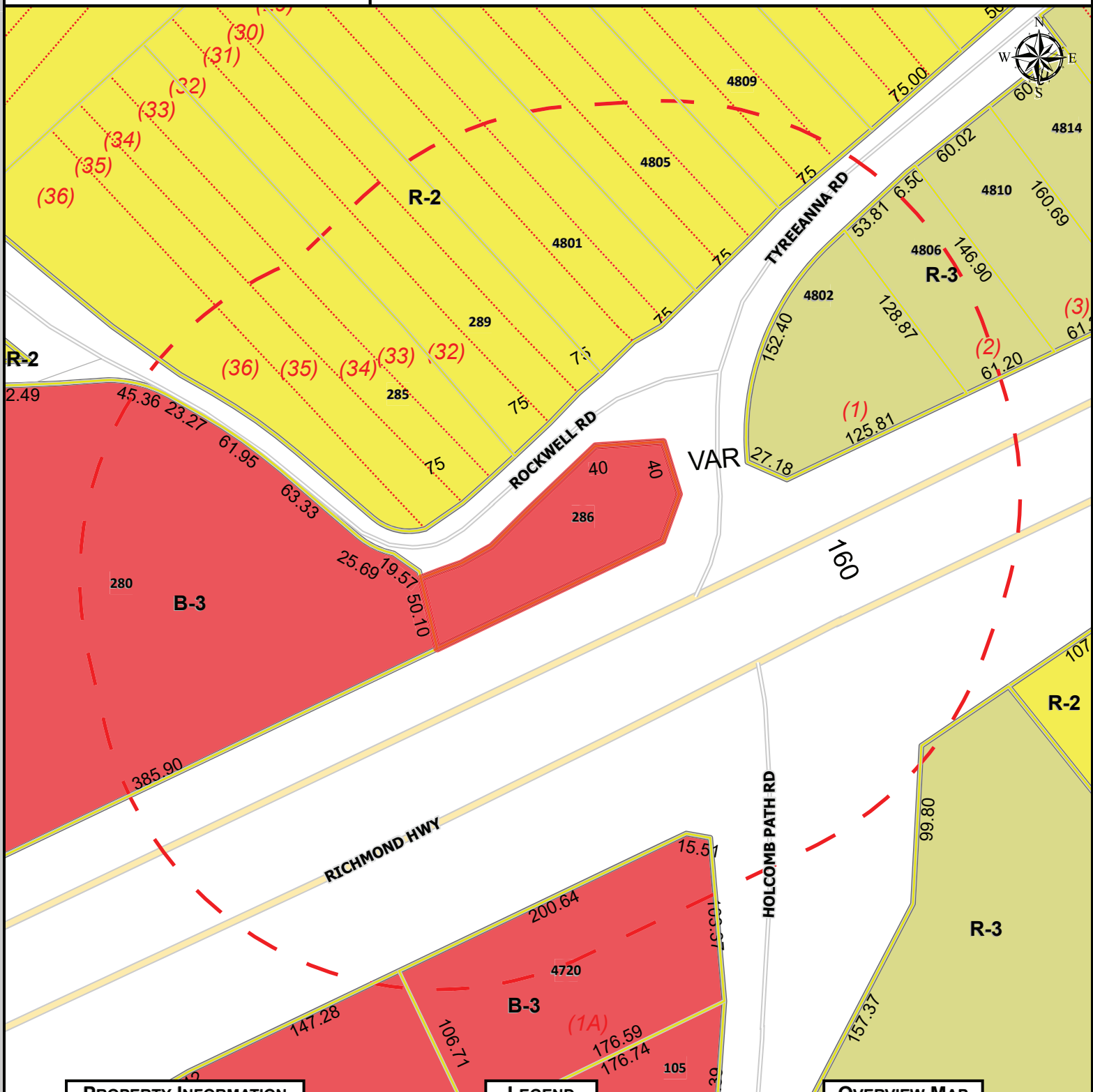
- 1. Zoning Map with Adjoining Property Owners**
- 2. Future Land Use Map**
- 3. Watershed Map**
- 4. Planimetric and Topographic Map**
- 5. Concept Plan**
- 6. Survey**
- 7. Narrative**
- 8. Property Photograph**

Zoning

286 ROCKWELL RD

TRC

GRIT LAND COMPANY LLC



## PROPERTY INFORMATION

PARCEL ID

ADDRESS

27807021

286 ROCKWELL RD

## LEGEND

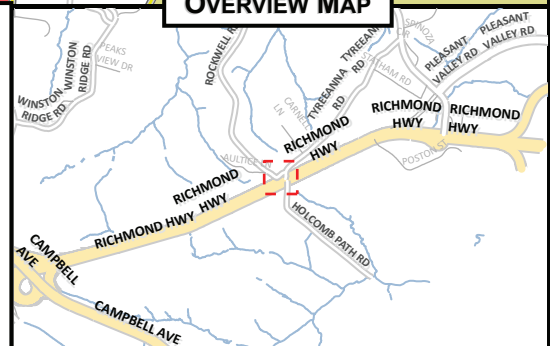
Subject Property

215 Foot Buffer

|     |      |     |
|-----|------|-----|
| B-1 | I-1  | R-1 |
| B-3 | I-2  | R-2 |
| B-4 | I-3  | R-3 |
| B-5 | IN-1 | R-4 |
| R-C | IN-2 |     |

MAP SCALE: 1:1,013 DATE PRINTED: 9/19/2025

## OVERVIEW MAP



**286 Rockwell Road**

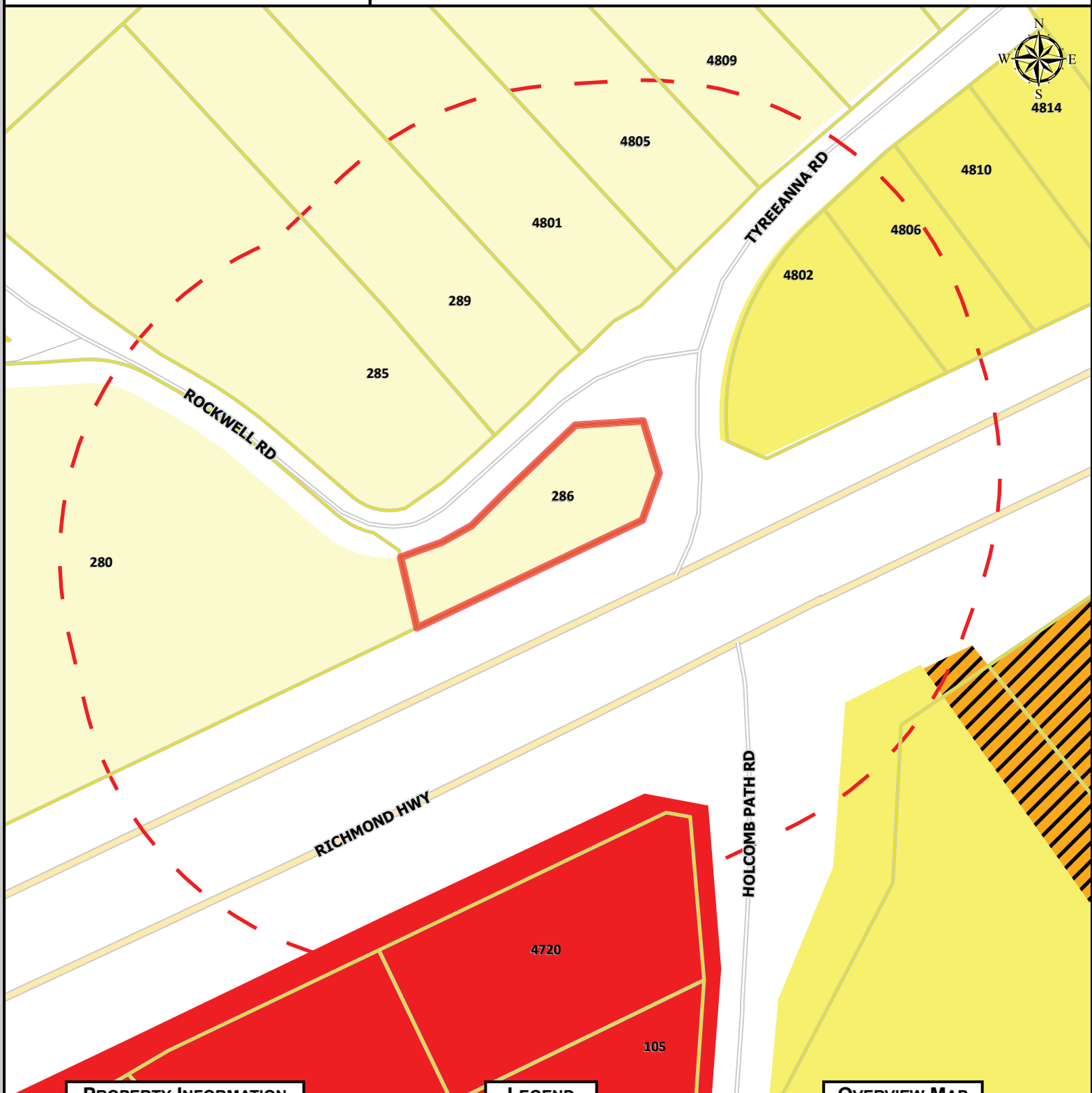
| <b>Parcel ID</b> | <b>Address</b>      | <b>Owner</b>                                                    |
|------------------|---------------------|-----------------------------------------------------------------|
| 27804015         | 4809 TYREEANNA RD   | CHANDLER, NATHAN T                                              |
| 27402022         | 109 HOLCOMB PATH RD | CHERRYWOOD SUITES LLC                                           |
| 27402024         | 4720 RICHMOND HWY   | COMMONWEALTH OF VIRGINIA C/O VDOT                               |
| 27804011         | 285 ROCKWELL RD     | ELLIS, SHEILA D                                                 |
| 27807021         | 286 ROCKWELL RD     | GRIT LAND COMPANY LLC                                           |
| 27802011         | 4806 TYREEANNA RD   | HENLEY, MARTHA R                                                |
| 27804013         | 4801 TYREEANNA RD   | KING, BERNARD L & CASSANDRA D                                   |
| 27802012         | 4802 TYREEANNA RD   | LIVING WELL PROPERTIES LLC                                      |
| 27804014         | 4805 TYREEANNA RD   | MILLIGAN, CHRISTOPHER ALAN                                      |
| 27804012         | 289 ROCKWELL RD     | NAPPIER, MARGARET L                                             |
| 27807022         | 280 ROCKWELL RD     | ST JAMES CHRISTIAN METHODIST EPISCOPAL CHURCH C/O ARLEAN BOOZER |
| 27803007         | 110 HOLCOMB PATH RD | TEMPLETON, HOLLY SUE                                            |

FLUM

286 ROCKWELL RD

TRC

GRIT LAND COMPANY LLC



PROPERTY INFORMATION

PARCEL ID

ADDRESS

27807021

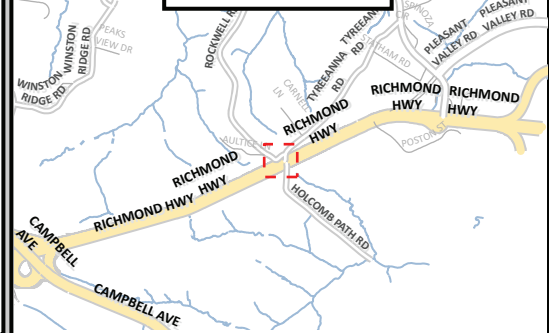
286 ROCKWELL RD

LEGEND

- |                            |                       |
|----------------------------|-----------------------|
| Local Historic District    | Employment 1          |
| Traditional Residential    | Employment 2          |
| Low Density Residential    | Downtown              |
| Medium Density Residential | Institution           |
| High Density Residential   | Public Use            |
| Neighborhood Commercial    | Public Parks          |
| Community Commercial       | Resource Conservation |
|                            | Mixed Use             |

MAP SCALE: 1:1,013 DATE PRINTED: 9/19/2025

OVERVIEW MAP

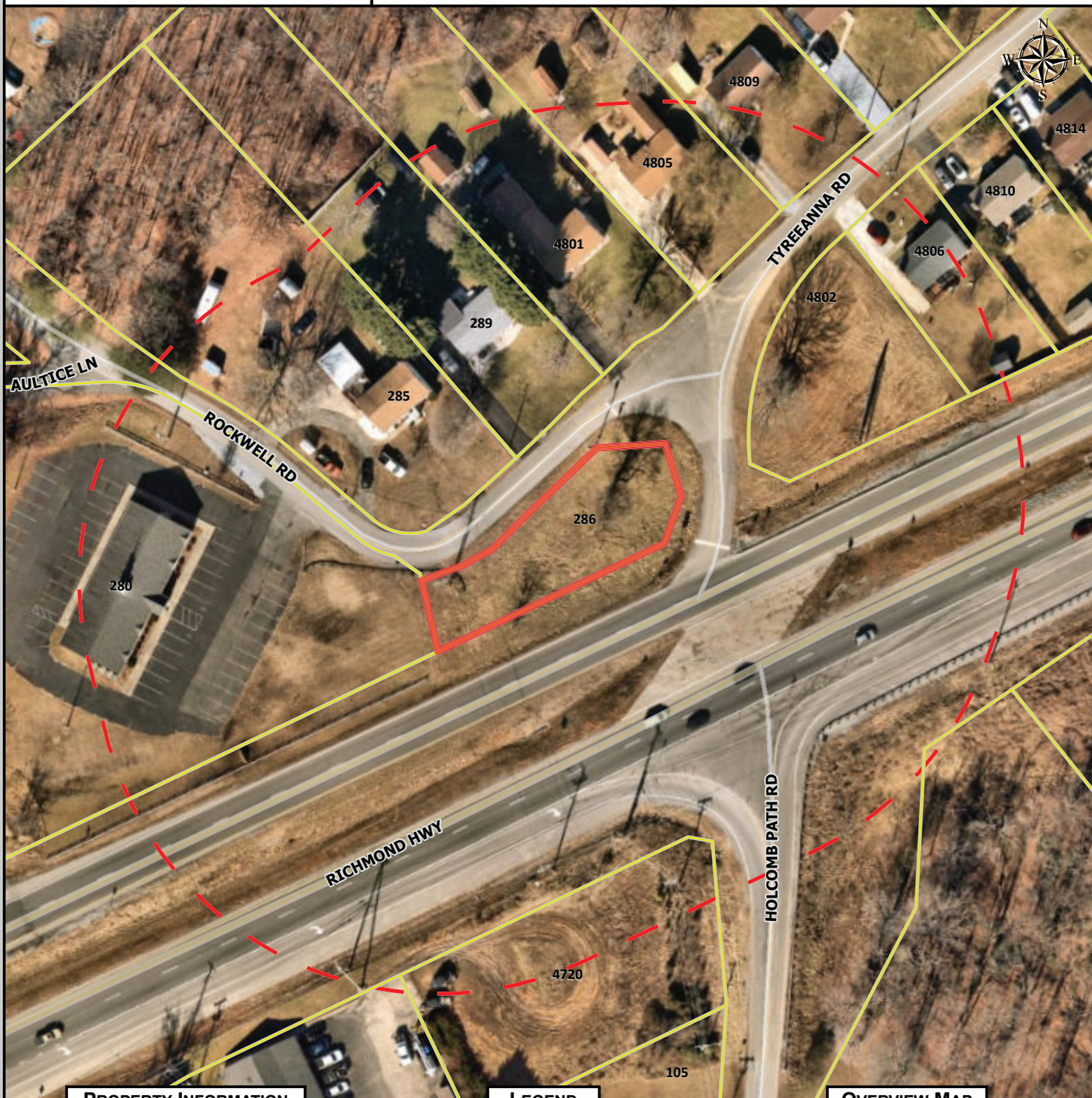


Watershed

286 ROCKWELL RD

TRC

GRIT LAND COMPANY LLC



PROPERTY INFORMATION

PARCEL ID

ADDRESS

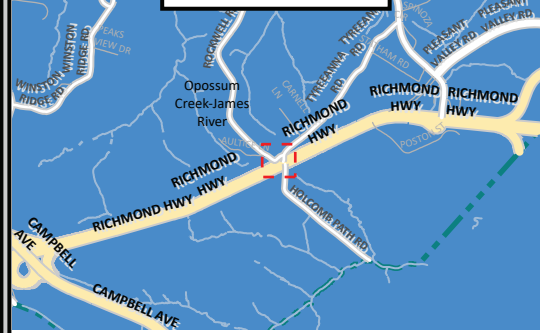
27807021

286 ROCKWELL RD

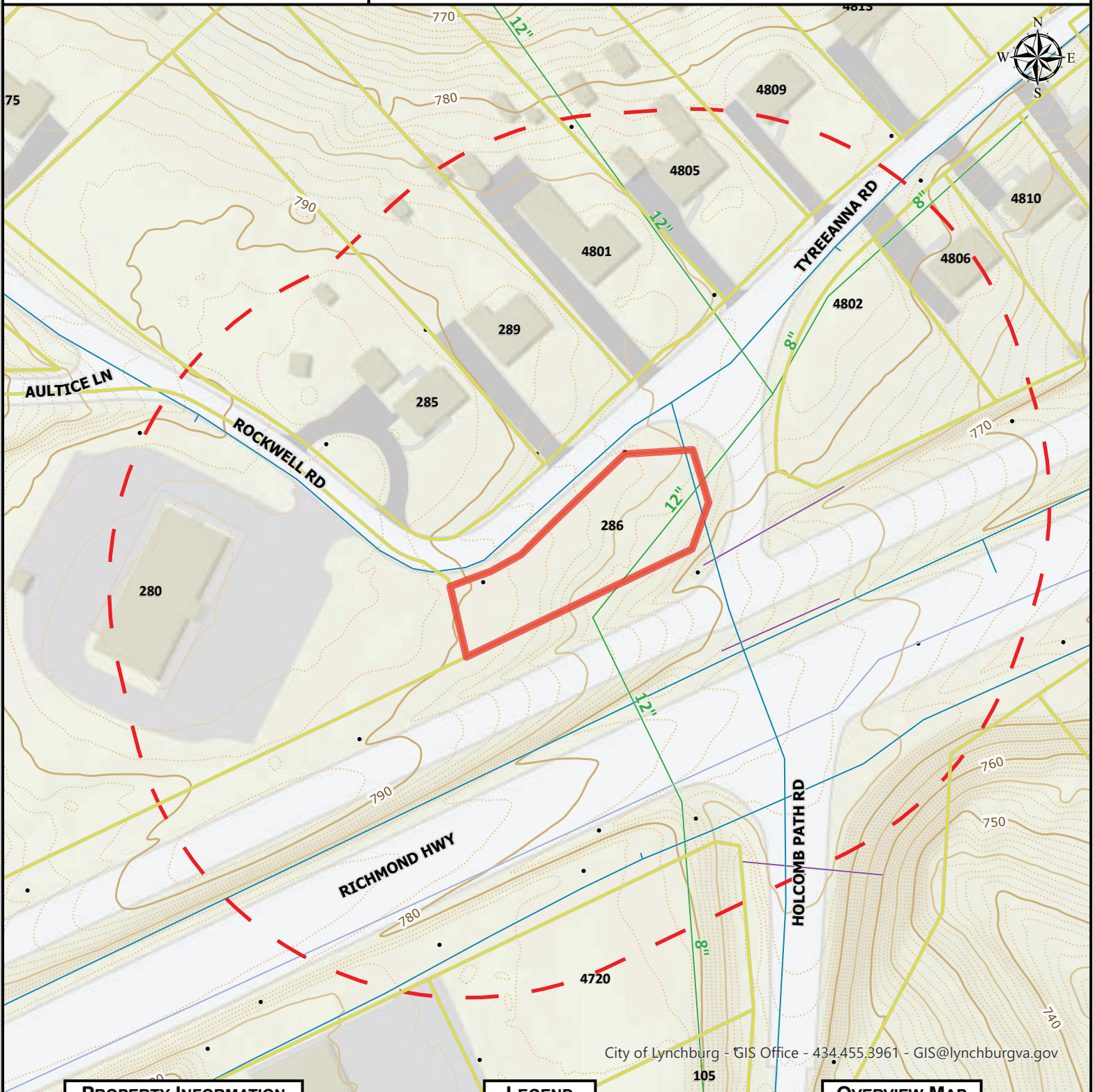
LEGEND

- Subject Property
- Base Flood Elevation
- Floodway
- Floodzone
- River / Lake / Stream

OVERVIEW MAP



MAP SCALE: 1:1,013 DATE PRINTED: 9/19/2025



City of Lynchburg - GIS Office - 434.455.3961 - GIS@lynchburgva.gov

PROPERTY INFORMATION

PARCEL ID

ADDRESS

27807021

286 ROCKWELL RD

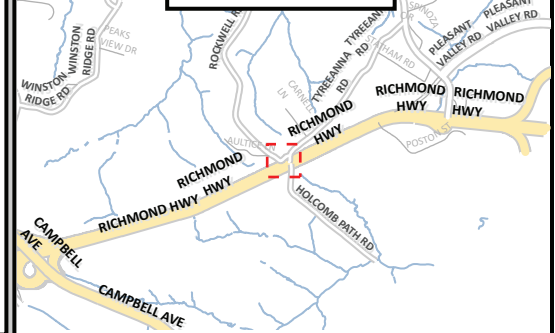
LEGEND

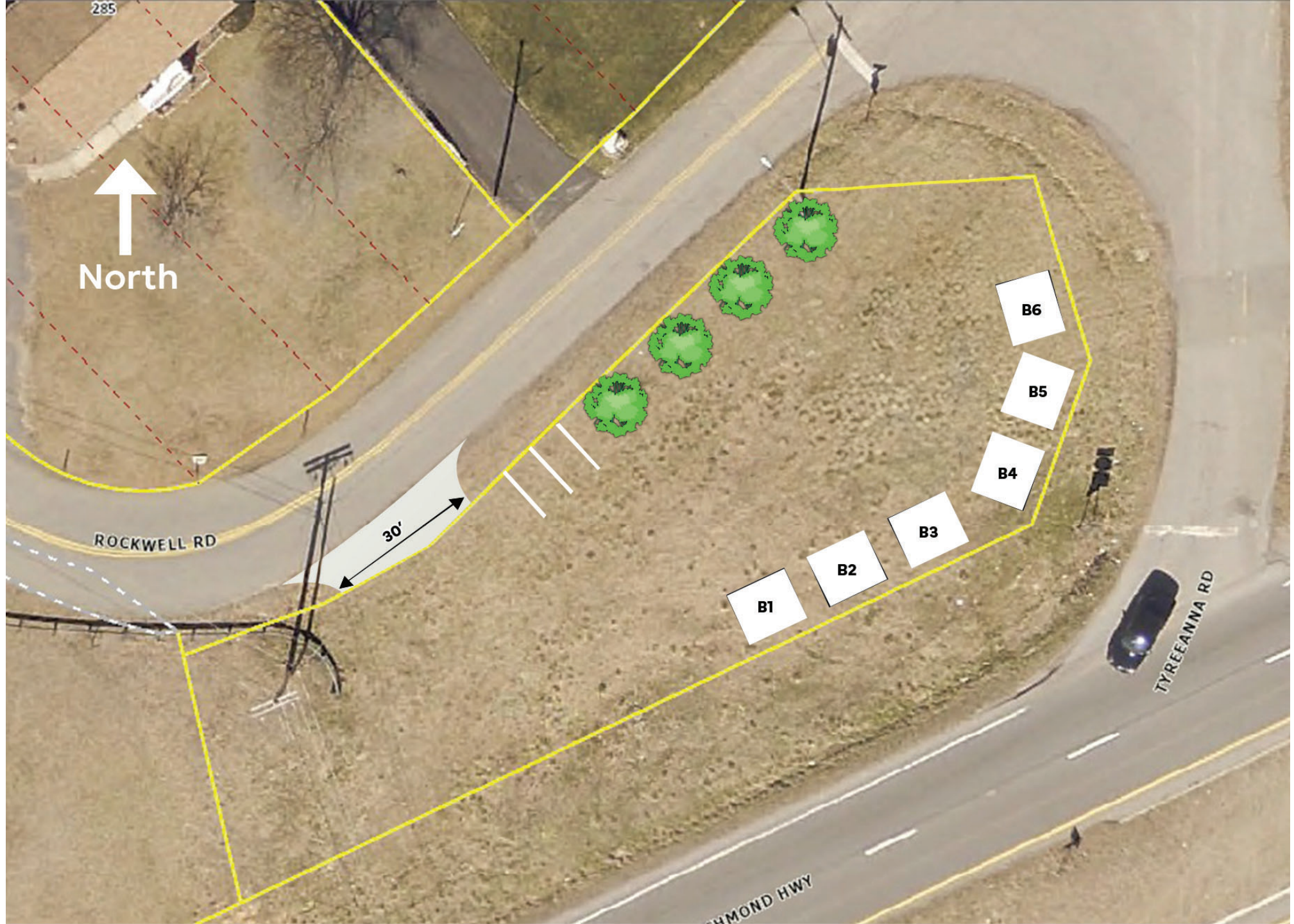
|              | Active | Proposed | Abandoned |
|--------------|--------|----------|-----------|
| Utilities    |        |          |           |
| Water        |        |          |           |
| Sanitary     |        |          |           |
| Storm        |        |          |           |
|              | Paved  | Unpaved  | Other     |
| Planimetrics |        |          |           |
| Structure    |        |          |           |
| Roadway      |        |          |           |
| Parking      |        |          |           |
| Sidewalk     |        |          |           |
| Driveway     |        |          |           |
| Topography   |        |          |           |
| Contour      |        |          |           |

MAP SCALE: 1:1,013

DATE PRINTED: 9/19/2025

OVERVIEW MAP





**Proposed Site Plan**  
**Location: 286 Rockwell Rd.**

Owner : Grit Land Co LLC

**NOTES:**

1. THIS PLAT HAS BEEN PREPARED FROM A CURRENT FIELD SURVEY PER THE DATE OF THIS PLAT.
2. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT INDICATE ALL OF THE ENCUMBRANCES UPON THE PROPERTY.
3. AS DETERMINED BY GRAPHIC SCALING ONLY, THIS PROPERTY IS NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE ACCORDING TO FEMA PANEL #5100930063D DATED JUNE 6, 2006.
4. PROPERTY LINES FROM "A" TO "B" CLOCKWISE ARE THE CENTERLINE OF ROCKWELL ROAD. THE 15' PRESCRIPTIVE EASEMENT, AS SHOWN HEREON, IS INTENDED TO REFLECT THE CURRENT STATE RIGHT-OF-WAY ASSOCIATED WITH THE SURVEYED PARCEL.
5. THIS PROPERTY IS SERVED BY PUBLIC WATER AND PUBLIC SANITARY SEWER.

**SOURCE OF TITLE:**

GRIT LAND COMPANY, LLC  
 PARCEL ID: 27807021  
 INST# 240006756

PARCEL ID 27807022  
 N/F  
 ST JAMES CHRISTIAN METHODIST  
 EPISCOPAL CHURCH  
 C/O ARLEAN BOOZER  
 INST# 080001677

PARCEL ID: 27807021  
 286 ROCKWELL RD.  
 0.267 AC.

664°23'42"W 160.01'  
 LIMITED ACCESS RIGHT-OF-WAY ALONG THIS LINE  
 REF: INST# 140004999

**RICHMOND HIGHWAY - RTE 460 & 29**

VARIABLE WIDTH RIGHT-OF-WAY  
 REF: DB 243 PG 423  
 & HIGHWAY PB 2 PG 149-150  
 (CAMPELL COUNTY)

**CURVE TABLE**

| CURVE | LENGTH | RADIUS | BEARING     | CHORD  | DELTA     |
|-------|--------|--------|-------------|--------|-----------|
| C1    | 50.29' | 55.66' | N73°57'45"E | 48.60' | 51°44'53" |

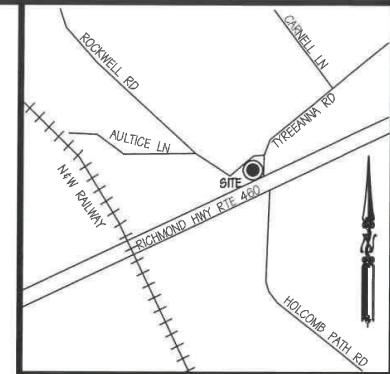
**LINE TABLE**

| LINE | BEARING     | LENGTH |
|------|-------------|--------|
| L1   | N55°06'40"W | 19.57' |
| L2   | N09°50'11"E | 2.06'  |



DATE: 02/14/2025

JOB#: 24348  
 DWG: V-RP-24348  
 DWN: JMH



**VICINITY MAP  
 N.T.S.**

**LEGEND**

- IRON PIN SET (IPS)
- IRON PIN FOUND (IPF)
- (UNLESS OTHERWISE INDICATED)
- UTILITY POLE
- ⚡ OVERHEAD UTILITY
- ⊕ GAS MARKER
- ⊗ SANITARY SEWER MANHOLE
- CENTER LINE
- N/F NOW OR FORMERLY

**PLAT SHOWING RE-SURVEY OF  
 THE PROPERTY OF  
 GRIT LAND COMPANY, LLC  
 CITY OF LYNCHBURG, VIRGINIA**

SHEET 1 OF 1

317 Brook Park Place  
 Forest, Virginia 24551

Office: 434-525-5985  
 Fax: 434-525-5986  
 E-Mail: pno@perkins-orrison.com  
 WEBSITE - http://www.perkins-orrison.net/

Hello,

My name is Robert Wallace with Grit Land Company LLC. I am writing to request rezoning of the property located at 286 Rockwell Rd. Lynchburg, VA 24504 from B-3 to B-5. This would allow for new backyard storage sheds to be placed on the property for visibility purposes only. The shed business that is leasing this property does not have this location staffed nor do they allow customers to transact business on this property. All sales take place at their main location in the Campbell County portion of Timberlake Road. With this being the case, their business misses out on considerable visibility from Lynchburg traffic not having a location on Rt.460.

I do want to emphasize that these are brand new backyard sheds and they are the same models that local Lynchburg citizens are purchasing (from the Timberlake location) to move to their own yards. I'd also like to note that with this lot being 0.267 acre, there are only 6 buildings displayed on the lot.

I am also willing to voluntarily offer the following proffers for uses that will not be allowed on the property if rezoned to B-5:

1. **Animal Production**
2. **licensed massage therapist**
3. **Tattoo parlor**
4. **Adult retail establishment**
5. **Short-term loans**
6. **Pawn Shops**
7. **Beer, wine, and liquor store**
8. **Bed & Breakfast and Tourist Homes**
9. **Boarding house**
10. **Rooming House**

In addition to these proffers we have agreed to install a vegetative barrier along the Rockwell Rd property line.

I have also included a request to amend the Future Land Use Map for this specific parcel only which is 0.267 acre and directly adjacent to Rt.460.

The comprehensive plan states multiple times that the FLUM is not parcel specific. The current FLUM is low density residential however my reasoning for amending the FLUM to Commercial is that this parcel has all of the characteristics that are commonplace in

commercial zones all along Rt.460 and none of the characteristics that you'd want in residential zoning including the following:

1. **Noise:** The property line is 30' from a major highway with 40,000 daily traffic count. A large percentage of which is heavy truck use (dump trucks, semi trucks, etc). I recently lived at a residence that was 1213' from Rt.460 and we could still hear the traffic. I could never imagine the level of noise living 30-50' from Rt.460.
2. **Lights:** Being 30' from the highway you will have 24/7 headlights, flashing lights from emergency vehicles, etc
3. **Sight:** Again, a major 4-lane highway being directly out your back door would not be the most aesthetically pleasing for a new residential development.
4. **Trash:** Unfortunately properties adjacent to Rt.460 collect a lot of unwanted trash from traffic passing by. Before this property is mowed we collect and dispose of discarded trash to keep the area clean.
5. **Proximity to Rt.460:** Based on my measurements a residential home being built on this property would by far be the closest home in relation to Rt.460. Currently the closest home I could find is about 100' from Rt.460.

I feel as if noise, lights, sight, and trash issues are what a residential home owner would complain about. That is also the reason why the vast majority of existing property fronting Rt.460 is either commercial or industrial uses and not residential so I'm not sure that it makes sense to move toward rezoning land directly adjacent to Rt.460 to residential.

This type of FLUM amendment looks to be how the precedent has been set for other individual commercial parcels in this area. If you look at 4830 and 4832 Tyreeanna Rd, the current zoning is R-3 but the FLUM has this changing from residential to commercial. This seems to be commonplace and has already been adopted in the past.

Although the FLUM has other commercially used properties on Tyreeana Rd changing from Residential to Commercial, and while these same commercially used properties are adjacent to residential areas, the planning department has expressed concerns about having this proposed B-5 commercial lot across the road from residential property.

The biggest factor to consider here is the size of the lot being 0.267 acre. That in itself is a huge built in proffer and cancels out 99% of normal commercial uses. There are also a lot of setback requirements from residential properties, sewer lines, etc that you're required to meet before you can build a permanent building and I'm not sure this lot would ever meet those requirements.

I also looked at the relation of commercial zones to residential zones as a whole on the City's GIS website and while I did not specifically count, the city appears to have well over 100 commercial and even industrial properties that are adjacent to residential properties so this property would not be outside of the ordinary when compared to the remainder of the city.

In my opinion, the proposed use, which does not require any permanent buildings, ingress or egress of daily traffic, lights, or noise, is one of, if not the most low density commercial use possible and would not have any effect on nearby residential areas.

Please feel free to let me know if you have any questions or concerns. I can be reached by phone 434-665-4836 or by email [robertbwallace1@gmail.com](mailto:robertbwallace1@gmail.com).

Thank you,  
Robert Wallace



Rezoning  
286 Rockwell Road  
November 13, 2025

PLEASE PRINT CLEARLY

| NAME           | ADDRESS | PHONE | IN FAVOR | IN OPPOSITION | NEUTRAL |
|----------------|---------|-------|----------|---------------|---------|
| Betsy Wollen   |         |       | ✓        |               |         |
| Rory Templeton |         |       |          | ✓             |         |
| Wendy Wollen   |         |       |          | ✓             |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |
|                |         |       |          |               |         |

**From:** Lana Musgrave  
**Sent:** Monday, November 10, 2025 9:34 PM  
**To:** Frischeisen, Rachel <[rachel.frischeisen@lynchburgva.gov](mailto:rachel.frischeisen@lynchburgva.gov)>  
**Subject:** Proposed Zoning Change to 286 Rockwell Rd.

CAUTION: External Sender

Rachel,

Thank you for being willing to pass this along to the appropriate parties.

Blessings,

Lana

Dear Members of the City Council,

I am writing to formally express my opposition to the proposed zoning change from **Community Business** to **General Business** for the property located at 286 Rockwell Rd.

As a resident of Tyreeanna Rd. and an active member of this community, I believe that this zoning change would negatively impact the character and livability of our neighborhood. The current Community Business designation appropriately balances neighborhood needs with limited commercial activity. In contrast, a General Business zoning would allow for more intensive commercial uses that could increase traffic, noise, and congestion, and potentially diminish the quality of life for nearby residents. The buildings that have been placed on this lot of land are distracting to 460 drivers and pose a hazard for neighborhood travelers trying to enter the highway.

Additionally, I am concerned that such a change could set a precedent for further rezoning requests that erode the community-focused intent of the Pleasant Valley/Tyreeanna neighborhood. We have been working with community development for years to create a plan that would improve our neighborhood and this change would not enhance that plan. I urge the city to maintain the current **Community Business** designation to preserve the integrity, safety, and character of our neighborhood.

Thank you for considering my concerns. I respectfully request that this letter be included in the public record and that I be notified of any future hearings or actions regarding this matter.

Sincerely,

Lana T. Musgrave

**AGENDA ITEM SUMMARY****MEETING DATE**

January 13, 2026

**PRESENTED BY**William Martin, Community Development  
Director**AGENDA ITEM # III.4**

Zoning Ordinance Amendment — Abortion Clinics

**RECOMMENDATION**

*This item will appear for City Council vote on the January 27, 2026, Public Hearing agenda. A Planning Commission motion to approve the Zoning Ordinance Amendments failed (2-4).*

**SUMMARY**

On October 14, 2025, City Council directed staff (7-0) to initiate the process of amending the Zoning Ordinance to regulate abortion clinics. While there are currently no abortion clinics located within the City, the use is currently permitted by right as an "outpatient care clinic" in the B-1, Limited Business District, B-3, Community Business District, B-4, Urban Commercial District, B-5, General Business District, IN-1, Institutional District 1 and IN-2, Institutional District 2.

City staff were provided a draft ordinance on October 14, 2025, which was used as a starting point for the proposed amendments. City staff made adjustments to the draft ordinance to help with enforceability and defensibility. Such adjustments were made with the approval of the patron of the original draft ordinance and are not intended to circumvent the will of City Council.

**PRIOR ACTION(S)**

October 14, 2025: City Council directed staff (7-0) to initiate the process of amending the Zoning Ordinance to regulate abortion clinics.

December 10, 2025: A Planning Commission motion to approve the Zoning Ordinance amendments failed (2-4).

**FISCAL IMPACT**

N/A

**CONTACT(S)**

William Martin, Community Development Director

**ATTACHMENT(S)**

1. Presentation

2. Proposed Ordinance - Abortion Clinics
3. Summary of Zoning Amendments
4. Council Initiated Amendments - October 14, 2025
5. Planning Commission Minutes, Report, and Attachments

## REVIEWED BY



---

William Martin, Community Development Director

Date: December 16, 2025



---

Kent White, Assistant City Manager

Date: January 05, 2026



---

Alicia Finney, Clerk of Council

Date: January 08, 2026

# **ZONING ORDINANCE AMENDMENTS**

**Business Item Briefing**

**Abortion Clinics**

**January 13, 2026**



# PURPOSE

## Purpose:

The purpose is to amend the Zoning Ordinance to create a definition for “abortion clinics”, create standards, and require a conditional use permit for the location in a B-3, Community Business District, B-5, General Business District and an IN-2, Institutional District.

- A December 10, 2025, Planning Commission motion to approve the amendments failed (2-4).

# SUMMARY

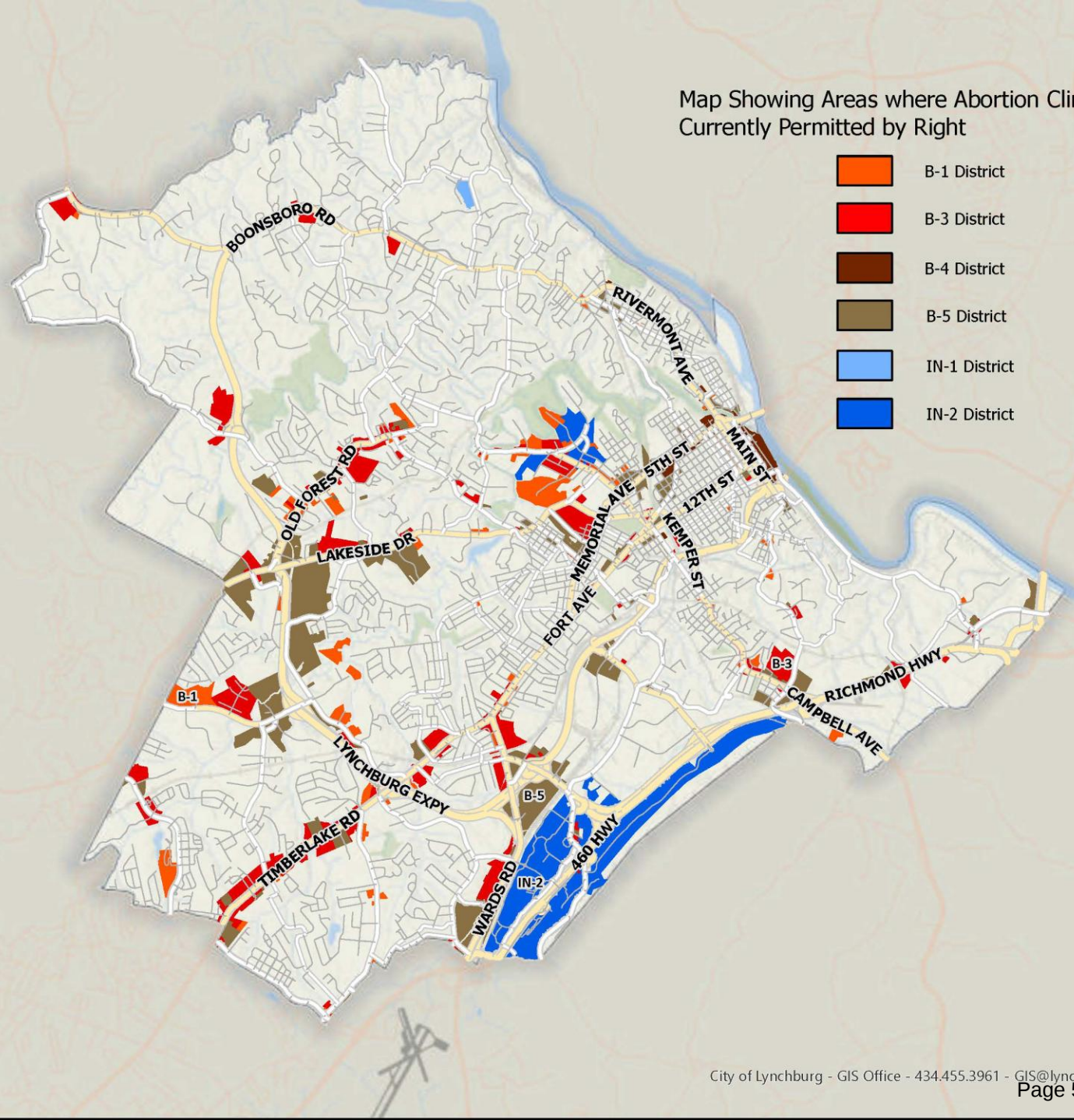
- On October 14, 2025, City Council directed staff (7-0) to initiate the process of amending the Zoning Ordinance to regulate abortion clinics.
- Abortion clinics are currently permitted by right as an “outpatient care clinic” in the B-1, Limited Business District, B-3, Community Business District, B-4, Urban Commercial District, B-5, General Business District, IN-1, Institutional District 1, and IN-2 Institutional District 2.
- There are currently no abortion clinics located within the City of Lynchburg.
- The proposed amendments are based upon ordinance language considered by Council when initiating the Zoning Ordinance amendments.

# SUMMARY - Differences

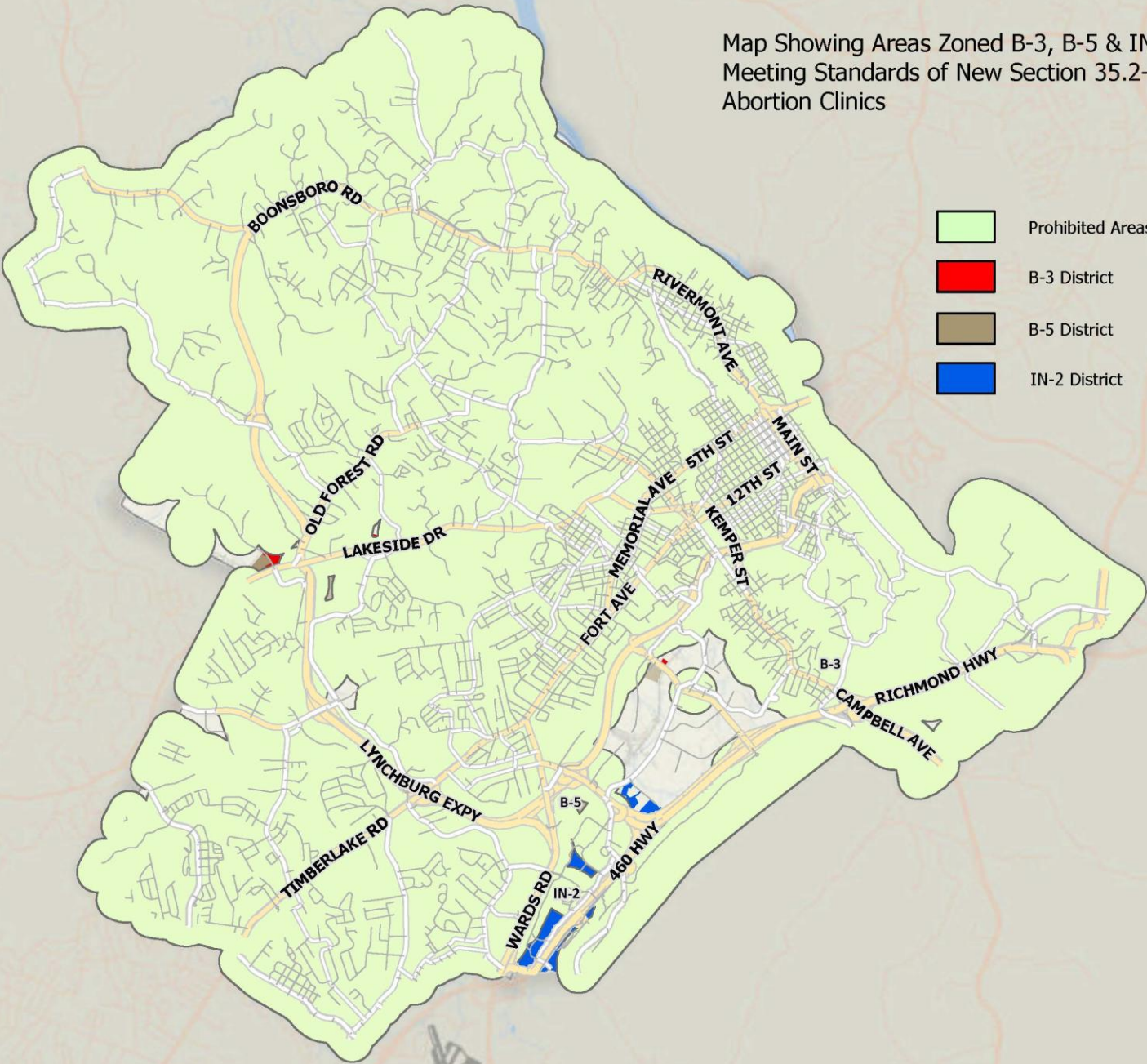
- Removal of IN-1, Institutional District 1
- Addition of B-3, Community Business District by Conditional Use Permit
- Addition of B-5, General Business District by Conditional Use Permit
- Amend proposed definition of “abortion clinic” to exclude “family planning services”.
- Add “motel or hotel” to list of uses requiring 1000’ setback

Map Showing Areas where Abortion Clinics  
Currently Permitted by Right

-  B-1 District
-  B-3 District
-  B-4 District
-  B-5 District
-  IN-1 District
-  IN-2 District



Map Showing Areas Zoned B-3, B-5 & IN-2  
Meeting Standards of New Section 35.2-72.28  
Abortion Clinics



AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY AMENDING SECTION 35.2-113 OF ARTICLE XI OF CHAPTER 35.2, SECTION 35.2-46.2 OF ARTICLE IV OF CHAPTER 35.2, SECTION 35.2-48.2 OF ARTICLE IV OF CHAPTER 35.2, AND SECTION 35.2-50.2 OF ARTICLE IV OF CHAPTER 35.2, CREATING A NEW SECTION 35.2-72.28 OF ARTICLE VII OF CHAPTER 35.2, AND AMENDING APPENDIX A – TABLE OF AUTHORIZED LAND USES OF ARTICLE XI OF CHAPTER 35.2; WITH ALL OF THE SAME BEING CONNECTED TO CODIFYING ZONING REGULATIONS FOR ABORTION CLINICS IN THE CITY OF LYNCHBURG, VIRGINIA.

**ORDINANCE:**

**#O-26-\_\_**

WHEREAS, prior to the adoption of this Ordinance, a public hearing was held before the Lynchburg City Council after being duly advertised on \_\_\_\_\_ and on \_\_\_\_\_ in The News & Advance.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-113 of Article XI of Chapter 35.2 as follows:

**Sec. 35.2-113. - Definitions.**

The following terms shall have the meanings established in this section unless specifically modified by provisions of the applicable section of the Zoning Ordinance.

|               |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|               | <u>1.</u> | <b><u>Abortion clinic:</u></b> means a facility, other than a hospital, where any person administers to, or causes to be taken by a woman, any drug, medicine, or any other substance other than contraceptive methods that are approved by the U.S Food and Drug Administration, or use any instrument, device, or means, with intent to knowingly destroy the life of an embryo or fetus in his or her mother's womb, but in all cases excluding family planning services.                                                                                                                                                                                                                                                                                                                                  |
| <del>1.</del> | <u>2.</u> | <b><u>Abut:</u></b> To adjoin or touch at one or more points along a common boundary.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>2.</del> | <u>3.</u> | <b><u>Accessible:</u></b> Dwellings that meet prescribed requirements for accessible housing. Mandatory requirements for accessible housing in the Department of Housing and Urban Development's program 202 and 811, section 504, and the Fair Housing Amendments Act requirements. Accessible features in dwellings include items such as wide doors, sufficient clear floor space for wheelchairs, lower countertop segments, lever and loop type handles on hardware, seats at bathing fixtures, grab bars in bathrooms, knee spaces under sinks and counters, audible and visual signals, switches and controls in easily reached locations, entrances free of steps and stairs, and an accessible route through the house. Most "accessible" features are permanently fixed in place and very apparent. |
| <del>3.</del> | <u>4.</u> | <b><u>Accessory use or accessory:</u></b><br>A use conducted on the same zoning lot as the principal use to which it is related (whether located within the same or an accessory building or other structure, or on an accessory use of land), except that, where specifically provided in the applicable regulations, accessory off-street parking or loading need not be located on the same                                                                                                                                                                                                                                                                                                                                                                                                                |

|                |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                |            | <p>zoning lot.</p> <p>A use that is clearly incidental to, and customarily found in connection with, such principal use.</p> <p>A use subordinate in area, floor area, intensity, extent and purpose to the principal use.</p> <p>A use either in the same ownership as such principal use, or operated and maintained on the same zoning lot substantially for the benefit or convenience of the owners, occupants, employees, customers or visitors of the principal use.</p> <p>When "accessory" is used in the text, it shall have the same meaning as "accessory use"</p> |
| <del>4.</del>  | <u>5.</u>  | <b>Accessory structure:</b> A structure subordinate to, and located on, the same zoning lot with a main building, the use of which is clearly incidental to that of the main building or to the principal use of the land, and which is not attached by any part of a common wall or a common roof to the main building.                                                                                                                                                                                                                                                       |
| <del>5.</del>  | <u>6.</u>  | <b>Address sign:</b> A sign displaying only the assigned address of a property or building that is attached to a building or sign structure or part thereof. An address sign shall not be included in the maximum permissible sign area of the district in which it is located.                                                                                                                                                                                                                                                                                                |
| <del>6.</del>  | <u>7.</u>  | <b>Adjacent:</b> To abut or be located on the opposite side of a right-of-way or easement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>7.</del>  | <u>8.</u>  | <b>Administrator or Zoning Administrator:</b> the official charged with the enforcement of this zoning ordinance except where responsibility is specifically delegated.                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>8.</del>  | <u>9.</u>  | <b>Agriculture:</b> Any use of land which involves the tilling of soil, the growing of crops or plant growth of any kind, or the raising of livestock or poultry for profit. "For profit" means in excess of what a household would normally grow or raise for its own use or consumption, and shall include the processing and retail sale, in a farm produce stand, or otherwise on the premises, of the products of only the farm on which such processing is conducted.                                                                                                    |
| <del>9.</del>  | <u>10.</u> | <b>Airport elevation:</b> The highest point on any usable landing surface expressed in feet above mean sea level.                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>10.</del> | <u>11.</u> | <b>Airport or air landing field:</b> Any area of land or water designated and set aside for the landing or taking-off of aircraft, the discharge or receiving of cargoes and/or passengers, or the repair, fueling or storage of aircraft.                                                                                                                                                                                                                                                                                                                                     |
| <del>11.</del> | <u>12.</u> | <b>Airport:</b> Lynchburg Regional Airport and/or Falwell Airport.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>12.</del> | <u>13.</u> | <b>Alteration:</b> Any change, modification or addition to a part of or all of the exterior of any building or structure.                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>13.</del> | <u>14.</u> | <b>Amend or amendment:</b> Any repeal, modification or addition to a regulation; any new regulation; any change in the numbers, shape, boundary, or area of a district or any repeal or abolition of any map, part thereof, or addition thereto.                                                                                                                                                                                                                                                                                                                               |
| <del>14.</del> | <u>15.</u> | <b>Antenna support structure:</b> Any building or other structure 30 feet in height or taller other than a tower which can be used for location of telecommunications facilities.                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>15.</del> | <u>16.</u> | <b>Apartment house:</b> See dwelling, multi-household.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>16.</del> | <u>17.</u> | <b>Apartment:</b> A room or suite of two or more rooms, which is designed or intended for                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

|                |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                |            | residential occupancy by, or which is occupied by, one household doing its cooking therein.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>17.</del> | <u>18.</u> | <b>Applicant:</b> Any person who applies for any development approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>18.</del> | <u>19.</u> | <b>Application or development application:</b> Means the process by which the owner, or the owner's legal representative, of a plot of land within the City submits a request to develop approval. Application includes all written documentation, verbal statements, and representations, in whatever form or forum, made by an applicant to the City concerning such a request.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>19.</del> | <u>20.</u> | <b>Approach surface:</b> A surface, whose design standards are referenced in <a href="#">section 35.2-57.3</a> , longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface, and at the same slope as the approach zone height limitation slope set forth in <a href="#">section 35.2-57.4</a> . In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>20.</del> | <u>21.</u> | <b>Approach, transitional, horizontal, and conical zones:</b> the airspace zones as set forth in <a href="#">section 35.2-57.4</a> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>21.</del> | <u>22.</u> | <b>Arcade:</b> A public or private pedestrian walkway that is open to the street and covered by the upper floors of a building front.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>22.</del> | <u>23.</u> | <b>Arterial or arterial street:</b> A public street currently classified in the comprehensive plan functional classification map as an arterial.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>23.</del> | <u>24.</u> | <b>Automobile graveyard:</b> Any lot or place which is exposed to the weather and upon which more than five motor vehicles of any kind that are incapable of being operated and which it would not be economically practical to make operative, are placed, located or found. The movement or rearrangement of vehicles within an existing lot or facility does not render this definition inapplicable. The provisions established by this definition shall begin with the first day that the vehicle is placed on the subject property.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>24.</del> | <u>25.</u> | <p><b>Automobile service station:</b> A location providing light automobile repairs as listed in LBCS functional use code 2117a. A building, lot, or both, in or upon which gasoline, oil, grease, batteries, tires and automobile accessories may be supplied and dispensed at retail, and where, in addition, the following services may be rendered and sales made, and no other:</p> <ol style="list-style-type: none"> <li>1. Sales and servicing of spark plugs, batteries, and distributors and distributor parts.</li> <li>2. Tire servicing and repair, but not recapping or regrooving.</li> <li>3. Replacement of mufflers and tail pipes, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors and the like.</li> <li>4. Radiator cleaning and flushing.</li> <li>5. Washing and polishing, and sale of automotive washing and polishing materials.</li> <li>6. Greasing and lubrication.</li> <li>7. Providing and repairing fuel pumps, oil pumps and lines.</li> <li>8. Electrical system repairs</li> <li>9. Adjusting and repairing brakes.</li> <li>10. Minor motor adjustments not involving racing the motor.</li> <li>11. Retail sales of convenience goods.</li> </ol> |

|                |            |                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                |            | 12. Virginia state inspection station.<br>Uses permissible at an automobile service station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in service stations.                                |
| <del>25.</del> | <u>26.</u> | <b>Awning:</b> A permanent roof like structure that projects from the wall of a building, covered with any material designed and intended for protection from the weather or as a decorative embellishment including those types which can be retracted, folded, or collapsed against the face of the supporting building.                                                                                            |
| <del>26.</del> | <u>27.</u> | <b>Banner:</b> A sign consisting of a piece of fabric or any other material, other than a flag or pennant, used to advertise a business, service, product, goods, special promotion, activity or event.                                                                                                                                                                                                               |
| <del>27.</del> | <u>28.</u> | <b>Base flood:</b> The flood having a one percent chance of being equaled or exceeded in any given year.                                                                                                                                                                                                                                                                                                              |
| <del>28.</del> | <u>29.</u> | <b>Base flood elevation:</b> The Federal Emergency Management Agency designated 100-year water surface elevation.                                                                                                                                                                                                                                                                                                     |
| <del>29.</del> | <u>30.</u> | <b>Basement:</b> Any area of the building having its floor sub-grade (below ground level) on all sides.                                                                                                                                                                                                                                                                                                               |
| <del>30.</del> | <u>31.</u> | <b>Bed and breakfast or tourist home:</b> A dwelling, occupied as such, in which sleeping accommodations in less than six rooms with not more than four persons per room are provided or offered for transient guests for compensation, under the management of the occupants of that dwelling for dwelling purposes. A tourist home or bed and breakfast shall not be deemed a home occupation.                      |
| <del>31.</del> | <u>32.</u> | <b>Billboard or poster panel:</b> Any exterior sign or advertising structure or portion thereof, including any sign painted directly on any exterior wall, roof, or part of a building or other object, displaying any information other than the name and occupation of the user of the premises or the nature of the business conducted thereon or the products sold, manufactured, processed or available thereon. |
| <del>32.</del> | <u>33.</u> | <b>Block face:</b> The edge of a block fronting on a street.                                                                                                                                                                                                                                                                                                                                                          |
| <del>33.</del> | <u>34.</u> | <b>Block:</b> An area of land bounded by streets providing access to such area.                                                                                                                                                                                                                                                                                                                                       |
| <del>34.</del> | <u>35.</u> | <b>Board of Zoning Appeals:</b> The board appointed to review appeals made by individuals with regard to decisions of the Zoning Administrator in the interpretation of this ordinance as described in this ordinance and regulated by the Code of Virginia.                                                                                                                                                          |
| <del>35.</del> | <u>36.</u> | <b>Boardinghouse or lodging house:</b> A residence where the owner resides in which, for compensation, lodging, or meals, or both, are furnished to transient or non-transient guests. A boardinghouse shall not be deemed a home occupation.                                                                                                                                                                         |
| <del>36.</del> | <u>37.</u> | <b>Boarding unit or lodging unit:</b> Any building or part thereof constituting a separate, independent transient accommodation that is physically separated from other such units so as to provide secure and private temporary accommodations.                                                                                                                                                                      |
| <del>37.</del> | <u>38.</u> | <b>Buffer:</b> An area of land, including landscaping, or combination of landscaping berms, solid fences and/or walls that is located between land uses of different character and is intended to mitigate negative impacts of the more intense use.                                                                                                                                                                  |

|                |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|----------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>38</del>  | <u>39.</u> | <b>Building, accessory:</b> A building subordinate to, and located on, the same zoning lot with a main building, the use of which is clearly incidental to that of the main building or to the principal use of the land, and which is not attached by any part of a common wall or a common roof to the main building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>39.</del> | <u>40.</u> | <b>Building envelope:</b> The area in which a building may be constructed, which is bounded by the minimum front, side and rear setbacks and the maximum building height.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>40.</del> | <u>41.</u> | <b>Building group:</b> A group of two or more main buildings and any buildings accessory thereto occupying a single zoning lot.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>41.</del> | <u>42.</u> | <b>Building line or setback:</b> A line drawn parallel to a lot line at a distance therefrom equal to the depth of a required setback.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>42.</del> | <u>43.</u> | <b>Building mounted sign:</b> A permanently attached sign, erected or painted on the outside wall, window, or door of a building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>43.</del> | <u>44.</u> | <b>Building permit:</b> A document issued by the City of Lynchburg to permit the construction, erection of alteration of any structure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>44.</del> | <u>45.</u> | <b>Building, height of:</b> The vertical distance measured from the level of approved street grade opposite the middle of the front of the building to the highest point of roof surface of a flat roof; to the deck line of a mansard floor; and to the mean height level between eaves and ridge of a gable, hip or gambrel roof; except as otherwise provided in <a href="#">section 35.2-61.2</a> .                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>45.</del> | <u>46.</u> | <b>Building, main:</b> The building in which is conducted the principal use of the zoning lot on which it is situated in any residential zone; any dwelling shall be deemed to be a main building on the zoning lot on which the same is located if the lot is used primarily for residential purposes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>46.</del> | <u>47.</u> | <b>Building, temporary:</b> Any structure which is intended to be used or occupied for only a limited time or which is not permanently supported by a foundation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>47.</del> | <u>48.</u> | <b>Building:</b> Any structure designed or intended for support, shelter, enclosure or protection of persons, animals, chattels or property.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>48.</del> | <u>49.</u> | <b>Business district:</b> A zoning district whose designation begins with the letter "B".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>49.</del> | <u>50.</u> | <b>Business incubator:</b> A facility that provides start-up or emerging businesses with space and shared office equipment, support and business development services, such as management and marketing assistance, for a limited period of time. A business incubator shall meet the following criteria:<br>(1) It shall contain uses authorized in the applicable zoning district under one roof with a minimum of six tenant spaces.<br>(2) Companies housed in a business incubator shall either provide services or support to existing basic industries, or shall conduct light manufacturing or distribution businesses.<br>(3) Display rooms for retail sales shall not exceed ten percent of the gross floor area of the tenant space.<br>(4) A tenant shall not be allowed to occupy the facility for more than 48 months. |
| <del>50.</del> | <u>51.</u> | <b>Caliper:</b> Trunk diameter of a tree measured six inches from the ground. If the caliper                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

|                |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                |            | is greater than four inches, the measurement is taken 12 inches from the ground.                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>51.</del> | <u>52.</u> | <b>Campus</b> : A designated area of land including the buildings and grounds of institutional uses such as schools, colleges, universities, senior living facilities, medical facilities and churches. A campus may be divided by public or private rights-of-way.                                                                                                                                                                                                    |
| <del>52.</del> | <u>53.</u> | <b>Care center</b> : A day nursery, nursery school, day camp, summer camp or other place where reception or care is provided with or without compensation, of persons of any age and the primary use of the facility where said reception or care is provided is not a residence.                                                                                                                                                                                      |
| <del>53.</del> | <u>54.</u> | <b>Cemetery</b> : A place used for the permanent commercial interment of dead bodies or the cremated remains thereof. It may be either a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments or a combination thereof.                                                                                                                                                                                  |
| <del>54.</del> | <u>55.</u> | <b>Certificate of appropriateness (COA)</b> : The approval statement signed by the historic preservation commission chair and/or the secretary that certifies the appropriateness of a particular request for the construction, alteration, reconstruction, repair, restoration, or demolition of all or a part of any building or structure within a historic district, subject to the issuance of all other permits needed for the matter sought to be accomplished. |
| <del>55.</del> | <u>56.</u> | <b>Certificate of Occupancy</b> : Authorization granted by the City for use of a lot or structure.                                                                                                                                                                                                                                                                                                                                                                     |
| <del>56.</del> | <u>57.</u> | <b>Changeable copy sign</b> : A sign, or part of a sign, with copy that can be changed by manual, mechanical, or electronic means. Copy may not change more than once every six seconds. Changeable copy signs include electronic message centers.                                                                                                                                                                                                                     |
| <del>57.</del> | <u>58.</u> | <b>Channel enclosure</b> : Continuous c-shaped metal, or similar opaque material, surrounding three-quarters of the circumference of neon tubing of a sign.                                                                                                                                                                                                                                                                                                            |
| <del>58.</del> | <u>59.</u> | <b>Channel</b> : A natural or artificial depression of perceptible extent with a definite bed and banks to confine and conduct flowing water.                                                                                                                                                                                                                                                                                                                          |
| <del>59.</del> | <u>60.</u> | <b>Civic uses</b> : Public or quasi-public uses serving the needs of the community that promote human interaction, such as: care centers, religious institutions, civic clubs and fraternal organizations, community swimming pools, libraries, museums, art galleries, public buildings, meeting halls, public or community recreational facilities, parks, schools and colleges.                                                                                     |
| <del>60.</del> | <u>61.</u> | <b>Collector street</b> : A public street currently classified as a collector street in the functional classification map of the Comprehensive Plan.                                                                                                                                                                                                                                                                                                                   |
| <del>61.</del> | <u>62.</u> | <b>Commercial amusement (temporary)</b> : A temporary outdoor amusement center, bazaar, circus, carnival, or fair, either involving use of special purpose equipment or conducted by professional operators, or both, and where activities include such things as rides, exhibitions, food service, sales or small-scale games.                                                                                                                                        |
| <del>62.</del> | <u>63.</u> | <b>Commercial amusement</b> : The provision of entertainment or games of skill to the general public for a fee, including but not limited to a bowling alley, video arcade, dance hall, billiard parlor, golf driving range, skating rinks, swimming pools or miniature golf course. This use does not include circuses, carnivals, race tracks, or                                                                                                                    |

|                |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                |            | shooting ranges.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>63.</del> | <u>64.</u> | <b>Commercial building:</b> A building used only for a commercial use.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>64.</del> | <u>65.</u> | <b>Commercial recreation:</b> The provision of entertainment or games of skill to the general public for a fee, with higher noise and safety restrictions than a commercial amusement. A facility designed or used for shooting at targets with firearms and/or archery and which is completely enclosed within a building or structure. Does not include outdoor shooting or archery ranges.                                                                                                                                                                                                                                                                                                       |
| <del>65.</del> | <u>66.</u> | <b>Commercial use:</b> Any use involving in part or in whole the storage of merchandise, sale of merchandise, materials or services, but not including home occupations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>66.</del> | <u>67.</u> | <b>Community facility use:</b> A public use in private or public ownership run on a nonprofit basis. Examples are: churches, welfare centers, voluntary hospitals, or privately-endowed museums or libraries. Facilities of private, nonprofit membership organizations for use only by members thereof are also community facilities. Examples may be country clubs, golf courses or community swimming pools.                                                                                                                                                                                                                                                                                     |
| <del>67.</del> | <u>68.</u> | <b>Comprehensive Zoning Map amendment:</b> An amendment to the official Zoning Map where any of the following conditions exist:(1) The area to be rezoned constitutes an entire neighborhood as defined in the Comprehensive Plan, or a group of such neighborhoods.(2) The area to be rezoned includes at least 400 acres of ground.(3) The area to be rezoned includes at least five lots, except where all of the said lots are included in a subdivision to be developed as a whole by one developer.                                                                                                                                                                                           |
| <del>68.</del> | <u>69.</u> | <b>Community owned:</b> Facilities owned and operated by a public, non-profit or not-for-profit entity and open to the general public.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>69.</del> | <u>70.</u> | <b>Concept Plan:</b><br>(1) A plan that establishes the general layout and intensity of proposed development in enough detail to demonstrate compliance with the applicable development approval criteria for discretionary approvals by the City Council.<br>(2) A generalized, illustrative plan for the IN-1 and IN-2 districts, indicating how off site impacts such as traffic, water and sanitary sewer availability/capacity, stormwater management, lighting and noise are mitigated and providing an assessment of existing and future development of the institution's campus, including buildings, parking areas, recreational facilities, open space and access points to City streets. |
| <del>70.</del> | <u>71.</u> | <b>Conditional use:</b> A permit to grant restricted use of property for uses other than those permitted by right.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>71.</del> | <u>72.</u> | <b>Conditional zoning or zone:</b> A zoning district or portion thereof, which has been established pursuant to provisions this Zoning Ordinance and which is subject to reasonable conditions proffered in writing by the owner of the subject property and agreed to by the City Council in a zoning map amendment to which such conditions are applicable in addition to those regulations provided for that particular zoning district, or portion thereof, by the overall Zoning Ordinance.                                                                                                                                                                                                    |
| <del>72.</del> | <u>73.</u> | <b>Conical surface:</b> An imaginary surface, whose design standards are referenced in extending and sloping horizontally and vertically from the periphery of the horizontal surface of an airport flight path.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>73.</del> | <u>74.</u> | <b>Conservation:</b> Any action designed to keep a structure, area containing structures, or                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

|     |            |                                                                                                                                                                                                                                                                                                                                                                                             |
|-----|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     |            | places from being damaged, lost or wasted.                                                                                                                                                                                                                                                                                                                                                  |
| 74. | <u>75.</u> | <b>Construction sign:</b> A temporary sign that notifies the public of a specific building or development under construction or reconstruction or to be constructed or reconstructed within the next three months. The sign may also identify the architect, contractor, subcontractor and/or material supplier participating in construction on the property on which the sign is located. |
| 75. | <u>76.</u> | <b>Construction, start of:</b> The date the building permit was issued for new construction or substantial improvements, meaning the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date.                                                                         |
| 76. | <u>77.</u> | <b>Contributing property:</b> Those properties which by reason of form, materials, architectural details and relation to surrounding properties contribute favorably to the general character of the historic district in which they are located.                                                                                                                                           |
| 77. | <u>78.</u> | <b>Coverage, lot:</b> The proportion of a lot covered by the maximum horizontal projected area of a building and its accessory buildings, including overhangs and projections.                                                                                                                                                                                                              |
| 78. | <u>79.</u> | <b>Decorative landscape stone:</b> Stone that has natural or manmade distinguishing characteristics such as color and shape. Decorative landscape stone may be used as mulch.                                                                                                                                                                                                               |
| 79. | <u>80.</u> | <b>Delineated wetland:</b> An area delineated by the U.S. Army Corps of Engineers as a wetland.                                                                                                                                                                                                                                                                                             |
| 80. | <u>81.</u> | <b>Demolition:</b> The dismantling or tearing down of all or part of any building or structure and all operations incidental thereto.                                                                                                                                                                                                                                                       |
| 81. | <u>82.</u> | <b>Depth of lot:</b> The mean horizontal distance between the front lot line and rear lot line of a lot.                                                                                                                                                                                                                                                                                    |
| 82. | <u>83.</u> | <b>Detached building:</b> A building surrounded by yards or other open area on the same zoning lot.                                                                                                                                                                                                                                                                                         |
| 83. | <u>84.</u> | <b>Development:</b> Any man-made change to improved or unimproved real estate, including, but not limited to, the erection, placement or modification of buildings or other structures; mining, dredging, filling, grading, paving, excavation or drilling operations; storage of equipment or materials; or the establishment or expansion of a use on a site.                             |
| 84. | <u>85.</u> | <b>Development approval:</b> Any City approval required for development.                                                                                                                                                                                                                                                                                                                    |
| 85. | <u>86.</u> | <b>Development area / disturbed area:</b> All areas shown within the limits of clearing and grading on a concept plan or final site plan.                                                                                                                                                                                                                                                   |
| 86. | <u>87.</u> | <b>Development pattern:</b> See land use development pattern                                                                                                                                                                                                                                                                                                                                |
| 87. | <u>88.</u> | <b>Digital sign or electronic message center:</b> An electrically activated changeable copy sign with a variable message and/or graphic presentation capability that can be electronically programmed by computer from a remote location or at the sign. These signs typically use arrays of LED lights to create an illuminated message.                                                   |
| 88. | <u>89.</u> | <b>Directional sign:</b> An on-premises sign whose message is exclusively limited to guiding the circulation of pedestrian or vehicular traffic, such as enter, exit, or one-way.                                                                                                                                                                                                           |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>89.</del>  | <u>90.</u>  | <b>Dwelling:</b> A building containing one or more dwelling units. The term "dwelling" or any combination thereof shall not be deemed to include hotel, rooming house, motel, clubhouse, hospital or other accommodations used for more or less transient occupancy.                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>90.</del>  | <u>91.</u>  | <b>Dwelling unit:</b> One or more rooms in a residential building or in a mixed building which are arranged, designed, used or intended for use by one or more persons living together and which include lawful cooking space and lawful sanitary facilities reserved for the occupants thereof.                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>91.</del>  | <u>92.</u>  | <b>Dwelling, cluster or cluster development:</b> A development pattern defined in Article VIII of this Zoning Ordinance characterized by small lots and the retention of common open space.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>92.</del>  | <u>93.</u>  | <b>Dwelling, detached:</b> A building containing only dwelling units surrounded by yards or other open area on the same zoning lot.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>93.</del>  | <u>94.</u>  | <b>Dwelling, group:</b> A building group consisting only of dwellings occupying a parcel of land in one ownership and having any yard or service area in common.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>94.</del>  | <u>95.</u>  | <b>Dwelling, multi-household for the elderly:</b> A building or portion thereof designed for or occupied by more than two families, and all living units of which are to be maintained under single ownership or management. This shall be interpreted to include a cooperative apartment house. Provided further, that all occupants of said residential units must be (a) persons 62 years of age or older; (b) married couples either of which is 62 years of age or older; or (c) handicapped persons under 62 years of age who have physical impairments which are expected to be of long-continued or indefinite duration, and which substantially impede the ability of such person to live independently. |
| <del>95.</del>  | <u>96.</u>  | <b>Dwelling, multi-household:</b> A building or portion thereof designed for or occupied by more than two families, and all living units of which are to be maintained under single ownership or management. This shall be interpreted to include cooperative apartment houses.                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>96.</del>  | <u>97.</u>  | <b>Dwelling, semi-detached:</b> One of two buildings, arranged or designed as dwellings located on abutting lots, separated from each other by a party wall, without openings, extending from the cellar floor to the highest point of the roof along the dividing lot line, and separated from any other building or structures by space on all sides.                                                                                                                                                                                                                                                                                                                                                           |
| <del>97.</del>  | <u>98.</u>  | <b>Dwelling, single-household:</b> A building containing not more than one dwelling unit and occupied by not more than one household.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>98.</del>  | <u>99.</u>  | <b>Dwelling, townhouse, or row house:</b> One of a series of three or more attached dwelling units separated from one another by continuous vertical party walls without openings from basement floor to roof.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>99.</del>  | <u>100.</u> | <b>Dwelling, two-household (duplex):</b> A building located on one zoning lot containing not more than two dwelling units, arranged one above the other, front to back, or side by side, and occupied by not more than two households.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>100.</del> | <u>101.</u> | <b>Easement:</b> A grant by a property owner of the use of a designated part of his land by another party for a specified purpose and for a specified time, which shall be included in the conveyance of land by such easement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>101.</del> | <u>102.</u> | <b>Eave:</b> The underside of the projection of a roof beyond the outer wall of a building.                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>102.</del> | <u>103.</u> | <b>Electrical engineer:</b> An electrical engineer licensed by the Commonwealth of Virginia.                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>103.</del> | <u>104.</u> | <b>Electronic message center (EMC):</b> see digital sign                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>104.</del> | <u>105.</u> | <b>Elevated building:</b> A non-basement building built to have the lowest floor elevated about the ground level by means of fill, solid foundation perimeter walls, pilings or columns (posts and piers).                                                                                                                                                                                                                                                                                                                      |
| <del>105.</del> | <u>106.</u> | <b>Encroachment , floodplain:</b> The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.                                                                                                                                                                                                                                                                                           |
| <del>106.</del> | <u>107.</u> | <b>Encroachment lines:</b> The lateral limits or line drawn along each side of and generally parallel to a watercourse or body of water, to preserve the flood carrying capacity of the stream or other body of water and its floodplain, and to assure attainment of the basic objective of improvement plans that may be considered or proposed. Their location along a stream should be such that the floodways between them will effectively carry and discharge a flood not less than the magnitude of the 100-year flood. |
| <del>107.</del> | <u>108.</u> | <b>Enlargement, or to enlarge:</b> An addition to the floor area of an existing building, an increase in the size of any other structure, or an increase in that portion of a tract of land occupied by an existing use. To "enlarge" is to make an enlargement.                                                                                                                                                                                                                                                                |
| <del>108.</del> | <u>109.</u> | <b>Equal degree of encroachment:</b> A standard applied in determining the location of encroachment lines so that the hydraulic capacity of floodplain lands on each side of a channel are reduced by an equal amount when calculating the increases in flood stages due to floodplain encroachments.                                                                                                                                                                                                                           |
| <del>109.</del> | <u>110.</u> | <b>Evergreen tree:</b> A tree or shrub that has foliage that persists and stays green throughout the year.                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>110.</del> | <u>111.</u> | <b>Existing tower:</b> A telecommunications tower that is in existence or is being constructed on December 9, 1997                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>111.</del> | <u>112.</u> | <b>Extension, or to extend:</b> An increase in the amount of existing floor area used for an existing use within an existing building. To "extend" is to make an extension.                                                                                                                                                                                                                                                                                                                                                     |
| <del>112.</del> | <u>113.</u> | <b>Exterior architectural features:</b> The architectural style, general design and general arrangement of the exterior of a building, structure or object, including but not limited to the kind or texture of the building material and the type and style of all windows, doors, signs and other appurtenant architectural fixtures, details, features or elements.                                                                                                                                                          |
| <del>113.</del> | <u>114.</u> | <b>Façade:</b> The outer surface of a building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <del>114.</del> | <u>115.</u> | <b>Fall zone:</b> That area within a prescribed radius (equal to the height of the tower) as measured from the base of a tower. A fall zone is based on physical phenomena that can result in a hazard beneath a tall structure and is the area within which there is a potential hazard from falling debris or collapsing material. A fall zone is distinct from a setback.                                                                                                                                                    |
| <del>115.</del> | <u>116.</u> | <b>Family day home:</b> A child day program offered in the residence of the provider or the home of any of the children in care for one through 12 children under the age of 13,                                                                                                                                                                                                                                                                                                                                                |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation and meets the requirements of Article 63.2-100 of the Code of Virginia. The term shall not include any family-type facility which provides child care to not more than five children placed by order of any court of competent jurisdiction, or by any public welfare department or other government agency having responsibility of placing children for care.                                                                                                                                                                                                                                                                                                                      |
| <del>116.</del> | <u>117.</u> | <b>Final site plan:</b> A site plan that when approved in accordance with this ordinance enables an applicant to apply for a building permit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <del>117.</del> | <u>118.</u> | <b>Fire district:</b> The territory defined and limited by the provisions of the BOCA Basic Building Code for the restriction of types of construction to ensure adequate fire protection.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>118.</del> | <u>119.</u> | <b>Flag pole:</b> A freestanding structure or a structure attached to a building or the roof of a building for the sole purpose of displaying flags.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>119.</del> | <u>120.</u> | <b>Flag:</b> Any fabric or any other flexible material attached to or designed to be flown from a flagpole or similar device.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <del>120.</del> | <u>121.</u> | <b>Flashing sign:</b> A sign that involves motion or rotation of any part of the structure, moving reflective disks, running animation or video, or displays an intermittent light or lights. Signs that display an on-premise message changed by electronic means or remote control, programmed or sequenced to change no more than once every six seconds shall not be considered a flashing sign.                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>121.</del> | <u>122.</u> | <b>Flea market:</b> A market, whether held indoors or outdoors, where antiques, used household goods, curios and similar items are sold or traded by or on behalf of multiple vendors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>122.</del> | <u>123.</u> | <b>Flood hazard area:</b> The maximum area of the 100-year floodplain (as defined in regulations for the national flood insurance program) which is likely to be flooded, or for which mudslides can be reasonably anticipated.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>123.</del> | <u>124.</u> | <b>Flood or flooding:</b><br>1. A general or temporary condition or partial or complete inundation of normally dry land areas from:<br>a. the overflow of inland or tidal waters; or,<br>b. the unusual and rapid accumulation or runoff of surface waters from any source.<br>2. The collapse or subsistence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual an unforeseeable event which results in flooding as defined in paragraph (1)a. of this definition. |
| <del>124.</del> | <u>125.</u> | <b>Floodplains:</b> The areas of land adjoining a watercourse that have in the past, or can be reasonably expected in the future, to be covered temporarily by flood waters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>125.</del> | <u>126.</u> | <b>Flood-prone area:</b> Any land area susceptible to being inundated by water from any source.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>126.</del> | <u>127.</u> | <b>Floodproofing:</b> Combinations of structural provisions, changes or adjustments to                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | properties and structures subject to flooding, primarily for the reduction or elimination of flood damages to properties, water and sanitary facilities, structures and contents of buildings in the regulatory floodplain.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>127.</del> | <u>128.</u> | <b>Floodway fringe:</b> That portion of the 100-year floodplain outside of the floodway.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>128.</del> | <u>129.</u> | <b>Floodway:</b> The channel of a river or other watercourse and those portions of the adjoining floodplains which are reasonably required to discharge the water of the 100-year flood (base flood), without causing a more than one-foot rise at any point in the City as shown in the City's flood insurance study published by the Federal Emergency Management Agency.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>129.</del> | <u>130.</u> | <p><b>Floor area:</b> The sum of the gross areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerlines of walls separating two buildings. In particular, floor area includes:</p> <ol style="list-style-type: none"> <li>1. Basement space, except such space in a basement which has at least one-third of its height below curb level, and which is located in a residential building with not more than two stories entirely above curb level.</li> <li>2. Elevator shafts or stairwells at each floor.</li> <li>3. Floor space in penthouses.</li> <li>4. Attic space (whether or not a floor has been laid) providing structural headroom of eight feet or more.</li> <li>5. Floor space in interior balconies or mezzanines.</li> <li>6. Floor space in open or roofed terraces, exterior balconies, breezeways, or porches, if more than 50 percent of the perimeter of such terrace, balcony, breezeway or porch is enclosed.</li> <li>7. Any other floor space used for dwelling purposes, no matter where located within a building, when not specifically excluded.</li> <li>8. Floor space in accessory buildings except for floor space used for accessory off-street parking.</li> </ol> <p>Floor area of a building shall not include:</p> <ol style="list-style-type: none"> <li>1. Cellar space, except that cellar space used for retailing shall be included for the purpose of calculating requirements for accessory off-street parking spaces and accessory off-street loading berths.</li> <li>2. Elevator or stair bulkheads, accessory water tanks or cooling towers.</li> <li>3. Uncovered steps.</li> <li>4. Attic space, whether or not a floor actually has been laid, providing structural headroom of less than eight feet.</li> <li>5. Floor space in open or roofed terraces, exterior balconies, breezeways or porches, provided that not more than 50 percent of the perimeter of such terrace, balcony, breezeway or porch is enclosed.</li> <li>6. Unenclosed floor space used for permitted or required accessory off-street parking spaces.</li> <li>7. Floor space used for accessory off-street loading berths.</li> <li>8. Floor space used for mechanical equipment.</li> </ol> |
| <del>130.</del> | <u>131.</u> | <b>Floor area ratio:</b> The total floor area on a zoning lot, divided by the lot area of that zoning lot. (For example, a building containing 20,000 square feet of floor area on a zoning lot of 10,000 square feet has a floor area ratio of 2.0.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>131.</del> | <u>132.</u> | <b>Floor plate:</b> The floor area of the ground floor or footprint of a building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>132.</del> | <u>133.</u> | <b>Food Establishment:</b> A business operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <del>133.</del> | <u>134.</u> | <b>Foundation planting:</b> Trees and shrubs planted along and adjacent to the perimeter of a building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>134.</del> | <u>135.</u> | <b>Freeboard:</b> A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>135.</del> | <u>136.</u> | <b>Freestanding sign:</b> A non-movable sign supported by structures or supports in or upon the ground and not attached to a building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>136.</del> | <u>137.</u> | <b>Frontage:</b> The horizontal length of the front lot line of a zoning lot abutting a public street, road, or highway, or rural right-of-way.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>137.</del> | <u>138.</u> | <b>Gambrel roof:</b> A roof gable roof, each sloping side of which has two sloping planes, with the lower plane being steeper than the upper plane (e.g., barn roof)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>138.</del> | <u>139.</u> | <b>Garden apartment units:</b> Group multiple dwellings consisting of more than one main building containing more than one unit per building for single-household occupancy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>139.</del> | <u>140.</u> | <b>Gasoline station:</b> See Automobile service station.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>140.</del> | <u>141.</u> | <b>Graphic:</b> Any logo, emblem, insignia, or text, formed by writing, drawing, painting or engraving.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>141.</del> | <u>142.</u> | <b>Ground cover:</b> Any evergreen or broadleaf plant that does not generally attain a mature height of more than one foot, characterized by a growth habit in which the plant spreads across the ground to connect with other similar plants forming a continuous vegetative cover on the ground. Sod and seeding shall be considered an appropriate ground cover.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>142.</del> | <u>143.</u> | <b>Group Home:</b> A residential facility wherein (a) the operator is not legally related to the individuals supervised and may be licensed by the state, and wherein (b) four or more individuals are provided with room, board, specialized and distinctive care, and daily supervision. For the purpose of the Zoning Ordinance, a facility providing care to less than four persons shall not be considered a group home. The term "Group Home" would include but not be limited to such groups as: foster family homes, homes for adults, abused women, individuals with mental illness, intellectual disability, or developmental disabilities, or physically handicapped. This definition does not include pre-release or post-release individuals who have been incarcerated.<br>1. A residential facility in which no more than eight individuals with mental illness, intellectual disability, or developmental disabilities reside, with one or more resident counselors or other staff persons, shall be considered for all purposes residential occupancy by a single-household. For the purposes of this section, mental illness and developmental disability shall not include current illegal use of or addiction to a controlled substance as defined in Section 54.1-3401 of the code of Virginia. No conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption shall be imposed on such facility. This type of |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | <p>residential facility shall be deemed to be any group home or other residential facility for which the department of behavioral health and developmental services is the licensing authority pursuant to this code.</p> <p>2. A residential facility, in which no more than four aged, infirm or physically disabled persons reside, with one or more resident counselors or other staff persons, shall be considered for all purposes residential occupancy by a single-household. No conditions, more restrictive than those imposed on residences occupied by persons related by blood, marriage or adoption shall be imposed on such a facility. For purposes of the Zoning Ordinance, "residential facility" means any group home or residential facility in which aged, infirm or disabled persons reside with one or more resident counselors or other staff persons and for which the Virginia department of social services is the licensing authority pursuant to the Code of Virginia.</p> |
| <del>143.</del> | <u>144.</u> | <b>Guest:</b> Any person hiring and occupying a room for sleeping purposes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>144.</del> | <u>145.</u> | <b>Hazard to air navigation:</b> An obstruction determined by the Virginia Department of Aviation or the Federal Aviation Administration to have a substantial adverse effect on the safe and efficient utilization of navigable airspace in the Commonwealth.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>145.</del> | <u>146.</u> | <b>Hazardous materials:</b> Includes any substance or material could adversely affect the safety of the public, handlers or carriers during transportation, including, but not limited to materials that require a Hazardous Materials Endorsement by the United States Patriot Act and the Virginia Department of Motor Vehicles.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>146.</del> | <u>147.</u> | <b>Heat island effect:</b> An elevated temperature over an urban area caused by pavement, buildings, other infrastructure and pollutant emissions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>147.</del> | <u>148.</u> | <b>Height of building:</b> See Building, height of.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>148.</del> | <u>149.</u> | <b>Height of sign:</b> The distance to the topmost extent of the sign structure when measured from and perpendicular to the elevation of the edge of pavement of the closest adjacent roadway on which the sign is located. In no instance shall the sign structure be required to be less than ten feet in height, except as otherwise specifically required by the Zoning Ordinance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>149.</del> | <u>150.</u> | <b>Height:</b> for the purpose of determining the height limits affected by airport operations in all zones set forth in <a href="#">section 35.2-57.4</a> and shown on the Zoning Map, the datum shall be mean sea level (M.S.L.) elevation unless otherwise specified.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>150.</del> | <u>151.</u> | <b>Helipad:</b> Landing facility for up to two helicopters that may be lit, but does not include facilities for storage, fueling or servicing of helicopters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>151.</del> | <u>152.</u> | <b>Heliport:</b> Facilities for the landing helicopters that may include facilities for storage, servicing and/or fueling one or more helicopters at a time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>152.</del> | <u>153.</u> | <p><b>Historic area, historic place, or historic structure:</b></p> <p>1. Any structure, area containing structures, or place in which historic events occurred; or having special public value because of notable architectural or other features, relating to the cultural or artistic heritage of the community of such significance as to warrant conservation and preservation.</p> <p>2. Any structure that is:</p> <p>a. listed individually in the national register of historic places (a listing maintained by the department of the interior) as meeting the requirements for individual listing</p>                                                                                                                                                                                                                                                                                                                                                                                         |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | <p>on the national register;</p> <p>b. certified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;</p> <p>c. individually listed on a state inventory or historic places in states with historic preservation programs which have been approved by the secretary of the interior; or</p> <p>d. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:</p> <p>i. by an approved state program as determined by the secretary of the interior or</p> <p>ii. directly by the secretary of the interior in states without approved programs.</p>                                                                                                                                                                                                                                                                                   |
| <del>153.</del> | <u>154.</u> | <b>Historic building map:</b> The map of Lynchburg indicating certain structures as historic buildings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>154.</del> | <u>155.</u> | <b>Historic district:</b> A geographically defined area consisting of public and/or private property within the City, possessing a significant concentration, linkage, or continuity of sites, buildings or structures, areas of unique architectural value, landmarks or encompassing parcels of contiguous land united by past events or aesthetically by plan or physical development. A district may also comprise individual buildings or structures separated geographically but linked by association or history. A historic district shall further mean an area designated by City Council as a historic district pursuant to the criteria established in (d)(1) of this ordinance. The historic district overlay zone defines the area in which the requirements of the historic districts ordinance shall apply. The historic district overlay zone shall be in addition to and shall overlay all other zoning districts where it is applied so that any parcel of land lying in the historic district overlay zone shall also lie within one or more of the other zoning districts provided by this ordinance. |
| <del>155.</del> | <u>156.</u> | <p><b>Home occupation:</b> An accessory use which:</p> <ol style="list-style-type: none"> <li>1. Is clearly incidental to or secondary to the residential use of a dwelling unit.</li> <li>2. Is customarily and traditionally carried on within a dwelling unit by one or more occupants of such dwelling unit, except that, in connection with the practice of a profession, one person not residing in such dwelling unit may be employed.</li> <li>3. Occupies not more than 25 percent of the total floor area of such dwelling unit, and in no event more than 500 square feet of floor area.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>156.</del> | <u>157.</u> | <b>Home owners' or property owners' association:</b> An incorporated, nonprofit organization operating under recorded land agreements through which (a) each lot and/or property owner in a planned unit or other described land area is automatically a member; and (b) each lot is automatically subject to a charge for a proportionate share of the expenses for the home association's activities, such as common property maintenance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>157.</del> | <u>158.</u> | <b>Horizontal surface:</b> An imaginary horizontal plane, whose design standards are referenced in <a href="#">section 35.2-57.3</a> above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>158.</del> | <u>159.</u> | <b>Hospitals:</b> An institution receiving in-patients and rendering medical, surgical, and/or obstetrical care to private and charity patients, and usually including research and training activities, <b>but in all cases excluding abortion clinics.</b> This shall include general hospitals and institutions in which service is limited to special fields, such as                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | cardiac, eye, ear, nose and throat, pediatric, orthopedic, skin and cancer, tuberculosis, chronic disease and obstetrics. Hospital patients generally require intensive care for periods generally not exceeding several months.                                                                                                                                                                                                                                                                                                                                                                        |
| <del>159.</del> | <u>160.</u> | <b>Hotel:</b> A building or part thereof containing five or more guest rooms, without kitchens, where lodging is provided for compensation, excluding a fraternity or sorority house, a school or college dormitory, or a tourist home.                                                                                                                                                                                                                                                                                                                                                                 |
| <del>160.</del> | <u>161.</u> | <b>Household:</b> The occupants of a single dwelling unit, which shall not exceed three unrelated individuals unless otherwise permitted by this Zoning Ordinance.                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>161.</del> | <u>162.</u> | <b>Identification sign:</b> A sign that is permanently attached to or painted on a building and contains only the building name. (Example, the "Allied Arts" Building.) Identification signs shall not be included in the maximum permissible sign area of the district in which it is located.                                                                                                                                                                                                                                                                                                         |
| <del>162.</del> | <u>163.</u> | <b>Illegal use:</b> Any use, whether of a building or other structure or of a tract of land, in which a violation of any provision of the Zoning Ordinance has been committed or shall exist.                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>163.</del> | <u>164.</u> | <b>Illuminated sign:</b> A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>164.</del> | <u>165.</u> | <b>Industrial district:</b> Includes the I-1, I-2 and I-3 zoning districts.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>165.</del> | <u>166.</u> | <b>Institutional district:</b> Any district whose designation begins with the letters IN".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>166.</del> | <u>167.</u> | <b>Inflatable item:</b> Any item that is capable of being expanded by air, water or other means that exceeds 24 inches in diameter, used to advertise a business, service, product, goods, special promotion, activity or event.                                                                                                                                                                                                                                                                                                                                                                        |
| <del>167.</del> | <u>168.</u> | <b>Inventory, historic:</b> The inventory of historic landmarks, buildings and structures as prepared by the board of historic and architectural review.                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>168.</del> | <u>169.</u> | <b>Junk yard:</b> The use of any space, whether inside or outside a building, for the abandonment, storage, keeping, collection, disassembling or bailing of paper, rags, scrap metal, or other scrap or discarded materials, or for the abandonment, demolition, dismantling, or salvaging of automobiles or other vehicles or machinery or parts thereof; provided, that this definition shall not apply to any such use conducted solely as an accessory use and occupying not more than 100 square feet of the area of any lot other than any portion of that half thereof that adjoins any street. |
| <del>169.</del> | <u>170.</u> | <b>Kennel:</b> Any building, enclosure, structure, establishment and/or land where dogs, cats, household pets or any other domestic animals are sheltered, fed or watered, groomed, shown, trained, bred, boarded and exercised, cared for or sold for either commercial gain or in exchange for a fee.                                                                                                                                                                                                                                                                                                 |
| <del>170.</del> | <u>171.</u> | <b>Land Use Development Pattern or Development Pattern:</b> One or more uses arranged to create a specific type of development that are defined in Article VIII of this ordinance and that may be allowed by right or conditional use permit pursuant to LBCS classifications 9950 et. seq.                                                                                                                                                                                                                                                                                                             |
| <del>171.</del> | <u>172.</u> | <b>Land with minor improvements:</b> For purposes of the City's floodplain regulations, a tract of land which:<br>1. Does not include any building or other structure.                                                                                                                                                                                                                                                                                                                                                                                                                                  |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | 2. Includes a building or other structure with a floor area of less than 400 square feet.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>172.</del> | <u>173.</u> | <b>Landscape island:</b> An area containing a shade tree and other required landscaping not less than 108 square feet for a parking row or 216 square feet for a parking bay.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>173.</del> | <u>174.</u> | <b>Large deciduous tree.</b> A large deciduous tree shall be of a species having an average minimum mature crown spread of greater than 30 feet. A minimum caliper of at least two and one-half inches at the time of planting shall be required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>174.</del> | <u>175.</u> | <b>Large farm animal.</b> An animal with an adult weight of 50 pounds or more that may be kept for agricultural purposes, including, but not limited to horses, cattle, goats, llamas, alpacas, ostriches, emus, ponies and bison, but not including dogs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>175.</del> | <u>176.</u> | <b>Large scale retail establishment:</b> retail establishments having a cumulative gross floor area of 75,000 square feet or greater in floor area, whether such gross floor area is contained entirely within a freestanding building or is within two or more buildings, whether located on a single lot or contiguous lots owned or operated as associated, integrated or cooperative business enterprises.                                                                                                                                                                                                                                                                                                                                                   |
| <del>176.</del> | <u>177.</u> | <b>Level of Service (LOS):</b> A scale that measures the amount of traffic that a roadway or intersection can effectively and efficiently accommodate, based on such factors as volume, capacity, queues and delay. LOS is graded on a scale of A through F, where LOS-A is free-flowing traffic and LOS-F is a condition where traffic flow is unstable and excessive delay and queuing is expected.                                                                                                                                                                                                                                                                                                                                                            |
| <del>177.</del> | <u>178.</u> | <b>Limited Access Highway or Freeway:</b> A public highway to which access is forbidden except at interchanges with other public highways and, in some cases, at specially designed facilities providing automobile, restaurant and other similar services to motorists using the highway.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>178.</del> | <u>179.</u> | <b>Limited time:</b> A period of time assumed to be not more than one year unless otherwise specified by the Zoning Ordinance or development approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>179.</del> | <u>180.</u> | <b>Loading berth:</b> A space measuring at least ten feet wide by 35 feet long that is used for the loading or unloading of vehicles.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>180.</del> | <u>181.</u> | <b>Local street:</b> A public street not classified as a freeway, arterial or collector street under the definitions in this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>181.</del> | <u>182.</u> | <b>Lodging house:</b> See Boardinghouse.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>182.</del> | <u>183.</u> | <b>Logo:</b> Any emblem used as the symbol of an organization, or residential or nonresidential community. A logo may include a graphic, text, or both.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>183.</del> | <u>184.</u> | <b>Lot:</b><br>1. A lot of record existing on the effective date of the Zoning Ordinance or any applicable subsequent amendment thereto.<br>2. A tract of land, either unsubdivided or consisting of two or more contiguous lots of record, located within a single block which on the effective date of the Zoning Ordinance or any applicable amendment thereto was in single ownership or control.<br>3. A tract of land located within a single block, which at the time of filing for a Building Permit (or, if no Building Permit is required, at the time of filing for a Certificate of Occupancy), is designated by its owner or developers as a tract all of which is to be used, developed or built upon as a unit under single ownership or control. |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>184.</del> | <u>185.</u> | <b>Lot area per dwelling unit:</b> That portion of the lot area required for each dwelling unit located on a zoning lot.                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>185.</del> | <u>186.</u> | <b>Lot area:</b> The area of a lot; provided, that if that lot includes any part of the area of a street closed subsequent to the effective date of the Zoning Ordinance, not more than one-half the area of such closed street shall be counted as lot area for purposes of determining the maximum floor area ratio or the required lot area per dwelling unit or lot area per room for such zoning lot.                                                                                                                            |
| <del>186.</del> | <u>187.</u> | <b>Lot, corner:</b> Either a lot bounded by streets on two or more sides or a lot in which the interior angle formed by the extensions of the street lines in the directions which they take at their intersections with lot lines other than street lines forms an angle of 135 degrees or less.                                                                                                                                                                                                                                     |
| <del>187.</del> | <u>188.</u> | <b>Lot coverage:</b> See Coverage, lot.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>188.</del> | <u>189.</u> | <b>Lot depth:</b> See Depth of lot.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>189.</del> | <u>190.</u> | <b>Lot, interior:</b> Any lot neither a corner lot nor a through lot.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <del>190.</del> | <u>191.</u> | <b>Lot line, front:</b> A street line determined by the Zoning Administrator to be the front of the lot based on prevailing lot patterns and lot dimensions.                                                                                                                                                                                                                                                                                                                                                                          |
| <del>191.</del> | <u>192.</u> | <b>Lot line, rear:</b> The lot line, opposite or furthest from the front lot line. For triangular lots, the rear lot line shall be the lot line that does not follow a street right-of-way.                                                                                                                                                                                                                                                                                                                                           |
| <del>192.</del> | <u>193.</u> | <b>Lot line, side:</b> Any lot line that is not a front lot line or a rear lot line.                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>193.</del> | <u>194.</u> | <b>Lot line:</b> A boundary of a lot.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <del>194.</del> | <u>195.</u> | <b>Lot of record:</b> A lot which is part of a subdivision recorded in the office of the City clerk, or a lot or parcel described by metes and bounds, the description of which has been so recorded.                                                                                                                                                                                                                                                                                                                                 |
| <del>195.</del> | <u>196.</u> | <b>Lot width:</b> The horizontal distance between the side lot lines of a zoning lot at the building line.                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>196.</del> | <u>197.</u> | <b>Lot, through:</b> Any lot, not a corner lot, which adjoins two streets that are parallel or within 45degrees of being parallel to each other.                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>197.</del> | <u>198.</u> | <b>Low explosives:</b> Substances that deflagrate (burn) rather than detonate (explode). These are primarily used as propellants. The cut-off speed between high and low explosives is 3,300 fps (feet per second). An example of a low explosive is black powder. High explosives are designed to shatter (brisance) rather than push. Detonation velocities for high explosives range from 3,300 fps to 29,900 fps. Blasting caps, dynamite, TNT, plastic explosives, binaries and blasting agents are examples of high explosives. |
| <del>198.</del> | <u>199.</u> | <b>Lowest floor:</b> The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR §60.3.                                                                   |
| <del>199.</del> | <u>200.</u> | <b>Lumen per Square Foot:</b> a measure of illuminance equal to one foot-candle                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>200.</del> | <u>201.</u> | <b>Lynchburg commercial historic districts design review guidelines:</b> A publication adopted by City Council, that gives detailed guidance to property owners of the commercial historic districts who are contemplating changes or additions to their building or property; and assists the historic preservation commission by providing them with minimum standards to guide their decision making. All future editions of the commercial guidelines document and all amendments thereto are automatically adopted and incorporated into the City code.                                                                                                                                        |
| <del>201.</del> | <u>202.</u> | <b>Lynchburg residential historic districts design review guidelines:</b> A publication adopted by City Council, that gives detailed guidance to property owners of the residential historic districts who are contemplating changes or additions to their building or property; and assists the historic preservation commission by providing them with minimum standards to guide their decision making. All future editions of the residential guidelines document and all amendments thereto are automatically adopted and incorporated into the City code.                                                                                                                                     |
| <del>202.</del> | <u>203.</u> | <b>Mansard roof:</b> A roof having two slopes on all sides with the lower slope steeper than the upper one                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>203.</del> | <u>204.</u> | <b>Manufactured home:</b><br>1. A structure, transportable in one or more sections that is certified as complying with HUD's "Manufactured Home Construction and Safety Standards," which is built after 1978 on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities.<br>d2. For floodplain management purposes the term "manufactured home" also includes mobile homes, park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles. |
| <del>204.</del> | <u>205.</u> | <b>Manufactured home park or subdivision:</b> A parcel (or contiguous parcels) of land divided into two or more manufactured home spaces or lots for rent or sale.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>205.</del> | <u>206.</u> | <b>Market for agricultural products:</b> A market selling produce, or other edible products made from and entirely processed on the site of an agricultural operation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>206.</del> | <u>207.</u> | <b>Medical or dental clinics:</b> Any building or group of buildings occupied by two or more medical or dental practitioners, <b>but in all cases excluding abortion clinics</b> , for the purpose of providing health services to people on an out-patient basis.                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>207.</del> | <u>208.</u> | <b>Medical practitioner:</b> A licensed physician, dentist, osteopath, chiropractor, chiropodist (podiatrist). psychologist or optometrist (but not optician).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>208.</del> | <u>209.</u> | <b>Medium shrubs.</b> Shrubs and hedge forms having a minimum height of at least two feet at the time of planting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>209.</del> | <u>210.</u> | <b>Metes and bounds:</b> The specific boundaries of an area as measured between geographical points.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>210.</del> | <u>211.</u> | <b>Minor map amendment:</b> A change in the official Zoning Map that is not included in the definition of comprehensive Zoning Map amendment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>211.</del> | <u>212.</u> | <b>Mobile food cart:</b> A mobile food establishment that is up to ten feet long and five feet wide and is designed to be pushed by hand or pedaled.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>212.</del> | <u>213.</u> | <b>Mobile food trailer:</b> A mobile food establishment that is less than 20 feet long by eight feet wide and is designed to be towed behind a vehicle and capable of vending foods without being connected to another vehicle.                                                                                                                                                                                                      |
| <del>213.</del> | <u>214.</u> | <b>Mobile food truck:</b> A self-propelled food establishment that is up to 26 feet long and eight feet wide.                                                                                                                                                                                                                                                                                                                        |
| <del>214.</del> | <u>215.</u> | <b>Mobile Food Vehicle:</b> A Food Establishment that is located upon a vehicle including cars, trucks, carts, motorcycles and bicycles, or which is pulled by a vehicle, where food or beverage is cooked, prepared, or served for individual portion service. This definition includes but is not limited to: mobile food kitchens, pushcart vendors, bicycle cart vendors, mobile food trucks, canteen trucks, and coffee trucks. |
| <del>215.</del> | <u>216.</u> | <b>Mobile Home:</b> A structure built on a permanent chassis that is designed for use with or without a permanent foundation that does not comply with the HUD's Manufactured Home Construction standards or that was built prior to 1978.                                                                                                                                                                                           |
| <del>216.</del> | <u>217.</u> | <b>Modified sign:</b> A sign that is allowed to deviate from the standards set forth in the Zoning Ordinance pursuant to a certificate of appropriateness issued by the historic preservation commission.                                                                                                                                                                                                                            |
| <del>217.</del> | <u>218.</u> | <b>Modular home or industrialized building:</b> A prefabricated homes or industrialized buildings that consist of one or more sections that do not have axles or frames and typically are transported to their site by means of flat-bed trucks.                                                                                                                                                                                     |
| <del>218.</del> | <u>219.</u> | <b>Monument sign:</b> A permanent structure built on-grade in which the sign and the structure are an integral part of one another, not a pole(s) mounted sign.                                                                                                                                                                                                                                                                      |
| <del>219.</del> | <u>220.</u> | <b>Motel or tourist cabin:</b> A building or group of buildings containing ten or more guest rooms or suites designed or intended to be used, let or hired out which:<br>1. Contain living or sleeping accommodations used primarily for transient occupancy.<br>2. Have individual entrances from outside the building to serve each such living or sleeping unit.                                                                  |
| <del>220.</del> | <u>221.</u> | <b>Mulch:</b> A protective covering, usually of organic matter placed around plants to prevent evaporation, root freezing and weed growth.                                                                                                                                                                                                                                                                                           |
| <del>221.</del> | <u>222.</u> | <b>Mural:</b> A painting, fresco, or mosaic applied to a wall for the sole purposes of decoration or artistic expression. A mural is not considered a sign unless it includes words or graphics that advertise the products or service of any entity.                                                                                                                                                                                |
| <del>222.</del> | <u>223.</u> | <b>Naturalized planting area:</b> Any area planted for bio-retention containing native or indigenous species that mimics local natural surroundings and is allowed to grow undisturbed. Naturalized planting areas require minimal maintenance.                                                                                                                                                                                      |
| <del>223.</del> | <u>224.</u> | <b>Neighborhood norm:</b> A measure of the average or typical setbacks along two opposing block faces or for three abutting lots (see <a href="#">Section 35.2-61.3(f)</a> )                                                                                                                                                                                                                                                         |
| <del>224.</del> | <u>225.</u> | <b>Neon tubing:</b> A vacuum tight transparent tube not exceeding one inch in diameter containing, but not limited to neon, argon, helium, xenon, or krypton that produces light when connected to an electrical current.                                                                                                                                                                                                            |
| <del>225.</del> | <u>226.</u> | <b>New construction:</b><br>1. Any construction within a historic district that is independent and exclusive of an existing building or structure or part thereof in the historic district.                                                                                                                                                                                                                                          |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | 2. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by the City.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>226.</del> | <u>227.</u> | <b>Non-conforming use:</b> any preexisting structure or object of natural growth that is inconsistent with the provisions of this section or any amendment to this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>227.</del> | <u>228.</u> | <b>Non-contributing property:</b> A property so designated on the inventory map of historic districts and properties which are adopted as a part of this ordinance, being generally those properties which by reason of age, condition, amount of alterations, form, materials, architectural details and relation to surrounding properties do not contribute favorably to the general character of the part of the historic district in which they are located.                                                                                                                                                                                                                                                                                                                                                                               |
| <del>228.</del> | <u>229.</u> | <b>Nonconforming:</b> Any lawful use, whether of a building or other structure or of a tract of land, which does not conform to the applicable use regulations of the district in which it is located, either on the effective date of the Zoning Ordinance, or as a result of any subsequent amendment thereto.<br>A nonconforming use shall result from failure to conform to the applicable district regulations on either permitted uses or performance standards. However, no existing use shall be deemed nonconforming solely because of any of the following:<br>1. The existence of less than the required accessory off-street parking spaces or loading berths.<br>2. The existence of nonconforming accessory signs.                                                                                                                |
| <del>229.</del> | <u>230.</u> | <b>Normal business hours:</b> means those hours during which most businesses in the community are open to serve customers, which shall be considered from 8:00 a.m. to 6:00 p.m. unless otherwise specified herein.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>230.</del> | <u>231.</u> | <b>Nursing homes:</b> Rest homes and convalescent homes devoted primarily to the maintenance and operation of residential facilities for the treatment and care of any persons suffering from illnesses, diseases, deformities or injuries not requiring the intensive care that is normally provided by hospitals, but do require care in excess of room and board and who need medical, nursing, convalescent or chronic care. Institutions primarily for the treatment and care of mental patients, alcoholics or drug addicts, and facilities serving less than four persons shall not, for the purpose of the Zoning Ordinance, be considered to be a nursing home. (See also Medical clinics, Hospitals and Sanatorium).                                                                                                                  |
| <del>231.</del> | <u>232.</u> | <b>Obstruction:</b><br>1. For purposes of floodplain regulations, any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter in, along, across or projecting into any channel, watercourse or flood hazard area which may impede, retard or change the direction of flow of water, either in itself or by catching or collecting debris carried by such water or that is placed where the flow of water might carry the same downstream to the damage of life or property.<br>2. For purposes of airport overlay zoning, any structure, or other object, including a mobile object, which exceeds a limiting height, or penetrates any surface or zone floor, set forth in <a href="#">section 35.2-57.4</a> . |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>232.</del> | <u>233.</u> | <b>Off-site directional sign:</b> A sign that directs traffic to a site other than the site on which the sign is located.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>233.</del> | <u>234.</u> | <b>Off-street loading berth:</b> A space for temporarily parking vehicles for loading or unloading that measures at least 30 feet in length by 12 feet wide and having at least 14 feet of clearance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>234.</del> | <u>235.</u> | <b>Official Zoning Map:</b> That map dividing the City into specific zones or districts.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>235.</del> | <u>236.</u> | <b>One hundred year flood (base flood):</b> A flood that has one (1) chance in 100 or a one percent chance of being equaled or exceeded in any given year.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>236.</del> | <u>237.</u> | <b>Open Space:</b> Any land or area, the preservation of which would: conserve and enhance scenic resources, protect streams, promote conservation of soils or provide for passive or active recreational space. Open spaces may include plaza areas, provided they contain a landscaped component. Required setback areas may be included in the computation of required open space.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>237.</del> | <u>238.</u> | <b>Opinion sign:</b> A sign which does not advertise products, goods, businesses, or services, and which expresses an opinion or other point of view.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>238.</del> | <u>239.</u> | <b>Ornamental tree:</b> Deciduous tree that grows to a mature height of less than 30 feet with flowering or other distinguishing characteristics.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>239.</del> | <u>240.</u> | <b>Outdoor storage:</b><br>1. For residential properties, anything that is not normally found in residential yards and on porches, including, but not limited to indoor furniture, construction materials, auto parts, appliances and the clutter of various personal items, inoperable vehicles or stacks of containers in plain view. Equipment regularly used for lawn maintenance, outdoor furniture, children's toys, bicycles and neatly stacked firewood are not generally considered to be outdoor storage, however an excess of those items, or equipment in disrepair may be considered illegal outdoor storage.<br>2. For non-residential and mixed-use properties, the outdoor storage includes the storage of goods, materials, inoperable vehicles, appliances or other materials that are not a specifically authorized outdoor display. |
| <del>240.</del> | <u>241.</u> | <b>Outparcel:</b> A parcel located on the outside perimeter of a commercial development fronting a right of way.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>241.</del> | <u>242.</u> | <b>Owner:</b> means any person with fee simple title to any plot of land within the City who desires to develop, construct, build, modify, or erect a tower upon such land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>242.</del> | <u>243.</u> | <b>Parapet wall:</b> A wall that extends above the top of a flat roof or flat portion of a roof.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>243.</del> | <u>244.</u> | <b>Parcel:</b> is considered to be that plot of land described by property lines. When multiple parcels are owned and used by the same party, the grouping may be considered to constitute the parcel.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>244.</del> | <u>245.</u> | <b>Parking area, off-street:</b> An off-street area containing one or more parking spaces, with passageways and driveways appurtenant thereto. In general, there shall be an average of at least 300 square feet of parking area per parking space and the required number of usable parking spaces.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>245.</del> | <u>246.</u> | <b>Parking bay:</b> Two parking rows abutting one another or separated by ten feet or less.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>246.</del> | <u>247.</u> | <b>Parking garages:</b> A building occupied by a public, community, commercial or private                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

|                 |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |                 | establishment providing space for the temporary storage of six or more automobiles and other vehicles, where service or repair facilities are not permitted. A parking garage shall not be considered an accessory use, nor shall it be used for the storage of dismantled or wrecked motor vehicles, parts thereof, or junk, nor shall the sale of automobiles or trailers take place within it unless otherwise permitted by the Zoning Ordinance.                                                |
| <del>247.</del> | <del>248.</del> | <b>Parking lot:</b> An open lot serving the functions defined above for a parking garage.                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>248.</del> | <del>249.</del> | <b>Parking row:</b> One single line of parking spaces.                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>249.</del> | <del>250.</del> | <b>Parking space:</b><br>1. An off-street space available for the parking of one motor vehicle on a transient basis and having a minimum width of nine feet and an area of not less than 162 square feet, exclusive of passageways and driveways appurtenant thereto and having direct usable access to the street.<br>2. An on-street space available for the parking of one motor vehicle on a transient basis, having a minimum width of nine feet and an area of not less than 162 square feet. |
| <del>250.</del> | <del>251.</del> | <b>Pedestrian facility:</b> A sidewalk, walking path, bike path or transit/shuttle stop.                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>251.</del> | <del>252.</del> | <b>Pennant:</b> Any lightweight plastic, fabric or other similar material, whether or not containing copy suspended from a rope, wire, or string, usually in series, designed to move in the wind.                                                                                                                                                                                                                                                                                                  |
| <del>252.</del> | <del>253.</del> | <b>Permanent sign:</b> Any sign attached to the ground or any structure, intended to exist for the life of the structure or use, and which cannot be removed without involving any structural or support changes.                                                                                                                                                                                                                                                                                   |
| <del>253.</del> | <del>254.</del> | <b>Permeable or Porous:</b> Capable of allowing water to be conducted through a material, as in permeable surfaces such as grass or soils and porous pavement.                                                                                                                                                                                                                                                                                                                                      |
| <del>254.</del> | <del>255.</del> | <b>Person:</b> Except as provided in <a href="#">section 35.2-60.2(e)</a> a person is any natural person, firm, partnership, association, corporation, company, or other legal entity, private or public, whether for profit or not for profit.                                                                                                                                                                                                                                                     |
| <del>255.</del> | <del>256.</del> | <b>Phasing Plan:</b> A plan for the development in more than one stage or phase in accordance with <a href="#">section 35.2-11.4</a> .                                                                                                                                                                                                                                                                                                                                                              |
| <del>256.</del> | <del>257.</del> | <b>Planned unit development or PUD:</b> A multiple-unit residential development of at least five acres arranged in harmony with purposes, provisions and procedures for the planned unit development.                                                                                                                                                                                                                                                                                               |
| <del>257.</del> | <del>258.</del> | <b>Pole mounted sign:</b> A sign that is mounted on one or more freestanding poles or similar supports.                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>258.</del> | <del>259.</del> | <b>Political sign:</b> A temporary sign promoting the candidacy of a person running for a governmental office or promoting a position on an issue to be voted on at a government election.                                                                                                                                                                                                                                                                                                          |
| <del>259.</del> | <del>260.</del> | <b>Porch:</b> an area elevated above grade that adjoins an entry to a building that may be covered or open.                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>260.</del> | <del>261.</del> | <b>Portable sign:</b> A sign which is movable without involving any structural or support changes, not permanently attached to the ground, a structure or any other sign not                                                                                                                                                                                                                                                                                                                        |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | an integral part of a building to which it is accessory. This category includes, but is not limited to, an A-frame sign, a sign attached to or placed on a vehicle, which is used primarily for the purpose of display, and similar devices used to attract attention. This shall not include bumper stickers or identification signs directly applied to or painted on vehicles identifying the owner of the vehicle, a business name, logo or emblem.                                                                                                                                                                                                                                                                               |
| <del>261.</del> | <u>262.</u> | <b>Preservation:</b> Any activity designed to prevent deterioration or destruction of a structure, a group of structures, or an area or a district.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>262.</del> | <u>263.</u> | <b>Primary surface:</b> An imaginary surface, whose design standards are referenced in <a href="#">section 35.2-57.3</a> longitudinally centered on an airport runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>263.</del> | <u>264.</u> | <b>Private recreational facilities:</b> A facility such as a swimming pool, tennis court or basketball court which is an accessory use located on a residential lot, the use of which is restricted to the occupants of the principal use and guests for whom no admission or membership fees are charged.                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>264.</del> | <u>265.</u> | <b>Programmed:</b> For the purposes of the Zoning Ordinance, the word "programmed" shall refer to a public facility which has been formally scheduled for construction within the following ten years. Such formal scheduling may be in terms of an approved capital improvements program, an officially adopted thoroughfare, public utilities or community facilities plan specifying the approximate date of construction of the facility, or a similar official plan or program.                                                                                                                                                                                                                                                  |
| <del>265.</del> | <u>266.</u> | <b>Projecting sign:</b> A sign that is attached to and projects at an angle and extends more than 15 inches from the face of the wall of a building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>266.</del> | <u>267.</u> | <b>Property ownership:</b> For purposes of the occupancy requirements of this ordinance, the owner who resides on the lot shall be:<br>a. An individual who owns at least a 50 percent interest in the lot by deeded title and who resides on the lot as his or her primary residence; or<br>b. An individual who owns at least a 50 percent interest in a corporation, a limited liability company, or a similar legal entity that owns a 100 percent interest in the lot by deeded title and who resides on the lot as his or her primary residence; or<br>c. An individual who is a beneficiary of a trust that owns a 100 percent interest in the lot by deeded title and who resides on the lot as his or her primary residence. |
| <del>267.</del> | <u>268.</u> | <b>Public utility:</b> A public utility is an activity, or a building housing such an activity, which operates to serve the community as a whole, or a portion of the community, which is publicly run or subject to special government controls and which is overseen by the State Corporation Commission.                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>268.</del> | <u>269.</u> | <b>Public:</b> Any land, structure or building owned, used or maintained by the City government, or a regional authority of which the City is a member, or their agencies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>269.</del> | <u>270.</u> | <b>Radio frequency engineer:</b> means a professional engineer licensed by the Commonwealth of Virginia with appropriate documented expertise in radio frequency engineering.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>270.</del> | <u>271.</u> | <b>Raising:</b> Providing vertical clearance under tree canopy by using appropriate pruning techniques.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>271.</del> | <u>272.</u> | <b>Re-facing:</b> The replacement of a sign face, regardless of change in copy, of equal size to the original, without altering the sign box, sign frame or sign structure.                                                                                                                                                                                                                                                              |
| <del>272.</del> | <u>273.</u> | <b>Reach:</b> Longitudinal segments of a river or stream, which will be affected by the placement of an obstruction in a floodway or floodway fringe.                                                                                                                                                                                                                                                                                    |
| <del>273.</del> | <u>274.</u> | <b>Real estate sign:</b> A temporary sign used to offer property for sale, lease, rent and/or development or to advertise an open house.                                                                                                                                                                                                                                                                                                 |
| <del>274.</del> | <u>275.</u> | <b>Reconstruction:</b> Any activity designed to rebuild entirely, or partially, a structure.                                                                                                                                                                                                                                                                                                                                             |
| <del>275.</del> | <u>276.</u> | <b>Recreation facility, active:</b> A field, court building or other structure designed for a specific range of sports or other physical activities, including but not limited to ball fields, tennis courts, swimming pools, gyms and other indoor athletic facilities and playground equipment.                                                                                                                                        |
| <del>276.</del> | <u>277.</u> | <b>Recreation facility, passive:</b> An open field, woods, trail or other public open space that may be used for a wide range of activities, including, but not limited to hiking, biking, picnicking or playing a variety of different sports. Passive recreation facilities may include picnic tables, water fountains and surfaced trails, but do not include buildings or structures devoted to limited ranges of sports activities. |
| <del>277.</del> | <u>278.</u> | <b>Recreational vehicle:</b><br>A vehicle which is:<br>1. built on a single chassis;<br>2. Four hundred square feet or less when measured at the largest horizontal projection;<br>3. designed to be self-propelled or permanently towable by a light duty truck; and,<br>4. designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational camping, travel or seasonal use.                 |
| <del>278.</del> | <u>279.</u> | <b>Regulatory flood protection level:</b> That level delineated by the one hundred year flood.                                                                                                                                                                                                                                                                                                                                           |
| <del>279.</del> | <u>280.</u> | <b>Rehabilitation:</b> Any activity designed to place a structure into a usable condition with or without architectural change.                                                                                                                                                                                                                                                                                                          |
| <del>280.</del> | <u>281.</u> | <b>Religious Institution:</b> A church, synagogue, temple, mosque, convent, monastery or other place of worship                                                                                                                                                                                                                                                                                                                          |
| <del>281.</del> | <u>282.</u> | <b>Related People:</b> Related individuals include people who are related by blood, are married to each other or are in a substantially similar relationship, and children under their care.                                                                                                                                                                                                                                             |
| <del>282.</del> | <u>283.</u> | <b>Renovation:</b> Any activity relating to the updating and/or the modernization of an older structure involving architectural change.                                                                                                                                                                                                                                                                                                  |
| <del>283.</del> | <u>284.</u> | <b>Repairs in like material and like design:</b> Any work or all work involving the replacement of existing material with equivalent material for the purpose of maintenance, but not including any addition, change or modification in construction design.                                                                                                                                                                             |
| <del>284.</del> | <u>285.</u> | <b>Residence:</b><br>1. A building or part of a building containing dwelling units or rooming units, including single-household or two-household houses, multiple dwellings, boarding or rooming                                                                                                                                                                                                                                         |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | <p>houses or apartment hotels. Residences do not include the following:</p> <ul style="list-style-type: none"> <li>a. Such transient accommodations as transient hotels, motels, tourist cabins or trailer courts.</li> <li>b. Dormitories, fraternity or sorority houses, monasteries or convents.</li> <li>c. In a mixed building, that part of the building used for any nonresidential uses, except accessory to residential uses.</li> </ul> <p>2. For the purposes of determining setback and/or height requirements for IN-1 District, a residence shall not include any properties owned, leased, or used by the institution regardless of zoning or land use.</p> |
| <del>285.</del> | <u>286.</u> | <b>Residence, single-household:</b> A building containing only one (1) dwelling unit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>286.</del> | <u>287.</u> | <b>Residential:</b> Pertaining to one or more residences.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>287.</del> | <u>288.</u> | <b>Residential district:</b> Any district whose designation begins with the letter "R".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>288.</del> | <u>289.</u> | <b>Residential Street:</b> any local City street where the majority of land use on one or both sides of the street within the block is residential.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>289.</del> | <u>290.</u> | <b>Restoration:</b> Any or all work connected with the returning to or restoring of a building, or part of any building, to its original condition through the use of original or nearly original materials.                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>290.</del> | <u>291.</u> | <b>Retail establishment:</b> A commercial enterprise that provides a combination of goods and/or services directly to the consumer, where the principal use is providing goods that are available for immediate small quantity purchase and removal from the premises by the purchaser.                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>291.</del> | <u>292.</u> | <b>Riding stable:</b> Any zoning lot used or designed for the boarding, breeding or care of horses or ponies, other than for farming or agricultural purposes, either with or without instruction in riding.                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>292.</del> | <u>293.</u> | <b>Riprap:</b> A permanent, large, loose angular stone generally used for erosion and sediment control in concentrated high velocity flow areas.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>293.</del> | <u>294.</u> | <b>Roof sign:</b> A sign installed or constructed upon or above a roof.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>294.</del> | <u>295.</u> | <b>Rooming house:</b> A dwelling consisting of on single building in which, for compensation, lodging or meals, or both, are furnished to transient or non-transient guests. A rooming house shall not be deemed a home occupation.                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>295.</del> | <u>296.</u> | <b>Runway:</b> A specified area on an airport prepared for landing and takeoff of aircraft.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>296.</del> | <u>297.</u> | <b>Sanitary or solid waste management facility, private:</b> A sanitary or solid waste management facility that is not a public sanitary or solid waste management facility, and which is owned and operated by a private entity for the purpose of handling sanitary or solid waste generated only by such private entity.                                                                                                                                                                                                                                                                                                                                                |
| <del>297.</del> | <u>298.</u> | <b>Sanitary or solid waste management facility, public:</b> A sanitary or solid waste management facility owned or operated by or on behalf of the City of Lynchburg or a regional solid waste management authority of which the City of Lynchburg is a member.                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>298.</del> | <u>299.</u> | <b>Sanitary or solid waste management facility:</b> Any facility or zoning lot used for: (i) the disposal of solid waste materials by abandonment, discarding, dumping, reduction, burial, incineration or any other means, including accessory uses such as recycling,                                                                                                                                                                                                                                                                                                                                                                                                    |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | cogeneration, and methane recovery, or (ii) a transfer station for solid waste storage or collection at which solid waste is transferred from collection vehicles to haulage vehicles, including but not limited to trucks, trains, and tandem trailers, for transportation to a central solid waste management facility for disposal or resource recovery. This definition does not include transportable waste receptacles of commercial solid waste generated by establishments engaged in business operations other than manufacturing. This category includes, but is not limited to, solid waste resulting from the operation of stores, markets, office buildings, restaurants, shopping centers, motels, hotels, multiple residences, picnic grounds and day-use recreation areas. This definition also does not include recycling bins. |
| <del>299.</del> | <u>300.</u> | <b>School:</b> An institution, including kindergartens providing full-time day instruction and a course of study that meets the requirements of the laws of the State of Virginia.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>300.</del> | <u>301.</u> | <b>Screening:</b> A method of visually shielding or obscuring items such as a structure, receptacle, parking area, equipment, or stormwater management pond by densely planted landscaping, or a combination of landscaping, berms, solid fences and/or walls.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>301.</del> | <u>302.</u> | <b>Service station:</b> See Automobile service station.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>302.</del> | <u>303.</u> | <b>Setback:</b> See building line.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>303.</del> | <u>304.</u> | <b>Shade tree:</b> Deciduous tree that grows to be more than thirty (30) feet at maturity and planted chiefly to provide shade from sunlight.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>304.</del> | <u>305.</u> | <b>Shallow flooding area:</b> A special flood hazard area with the base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>305.</del> | <u>306.</u> | <b>Short Term Rental:</b> The primary, accessory or secondary use of a residential dwelling unit or a portion thereof by the owner or a host to provide room or space that is intended to be occupied for a period of fewer than 30 consecutive days.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>306.</del> | <u>307.</u> | <b>Shrub, large:</b> A shrub with a minimum height of three feet at planting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>307.</del> | <u>308.</u> | <b>Shrub medium:</b> A shrub with a minimum height of two feet at planting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>308.</del> | <u>309.</u> | <b>Shrub small:</b> A shrub with a minimum height of one foot at planting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>309.</del> | <u>310.</u> | <b>Shrub:</b> A woody plant deciduous or evergreen that generally exhibits several erect, spreading stems with a bushy appearance growing to a height of no more than 15 feet.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>310.</del> | <u>311.</u> | <b>Sign base:</b> The area below any writing, pictorial representation, emblem or any other figure of similar character on a sign face. This shall include solid bases, poles, supports, uprights, skirts and/or enclosures.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>311.</del> | <u>312.</u> | <b>Sign box:</b> A structure that encloses the sign face(s) and any internal illumination.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>312.</del> | <u>313.</u> | <b>Sign face:</b> The area or display surface used for the message, not including the sign frame or sign structure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>313.</del> | <u>314.</u> | <b>Sign frame:</b> The enclosure and/or embellishment that surround the sign face.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>314.</del> | <u>315.</u> | <b>Sign structure:</b> An assembly of material used to support a sign face and/or sign frame.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>315.</del> | <u>316.</u> | <b>Sign:</b> Any writing (including letter, word or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol, logo, or trademark) or any other figure or graphic of similar character for the purpose of communicating information to the public which is:<br>1. Attached to or painted on a structure, or in any other manner represented on a building, other structure or motor vehicle;<br>2. Used to announce, direct attention to, or advertise;<br>3. Visible from the outside of a building. A sign shall include writing, pictorial representation, emblem or any other figure of similar character within a building when located less than twelve inches away from the inside face of an exterior window pane; and<br>4. Accessory to the permitted uses in the zoning district.                                                                                                                                                                                                                                                           |
| <del>316.</del> | <u>317.</u> | <b>Slope:</b> The deviation of a surface from the horizontal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>317.</del> | <u>318.</u> | <b>Solid waste:</b> Any discarded material, including, but not limited to, garbage, trash, refuse, junk, debris, leaves, brush, land clearing debris, demolition materials, ash, sludge, spoil, used or waste oil, and machinery or vehicles or parts thereof.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>318.</del> | <u>319.</u> | <b>Stable, riding:</b> See Riding stable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>319.</del> | <u>320.</u> | <b>Standard project flood limit (SPFL):</b> That portion of land inside the floodplain that would be required to carry 40 percent to 60 percent of the maximum probable flood, and normally could be expected to occur at a 500-year frequency.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>320.</del> | <u>321.</u> | <b>Start of construction:</b> The date the Building Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of the property accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. |
| <del>321.</del> | <u>322.</u> | <b>State:</b> means the Commonwealth of Virginia.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>322.</del> | <u>323.</u> | <b>Stealth:</b> means any tower or telecommunications facility that is designed to blend into the surrounding environment through the use of camouflage or other appropriate landscaping or construction techniques.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>323.</del> | <u>324.</u> | <b>Story:</b> That part of a building between the surface of a floor (whether or not counted for purposes of computing floor area ratio) and the ceiling immediately above. However, a cellar is not a story.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>324.</del> | <u>325.</u> | <b>Streamer:</b> Any long narrow strip of cloth, paper, plastic or other material.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>325.</del> | <u>326.</u> | <b>Street line:</b> A line defining the edge of a street right-of-way and separating the street from abutting property or lots. If, on the master plan of streets and highways duly                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | adopted by the City, a street is scheduled for future widening, the proposed right-of-way line shown on the master plan shall be the street line.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>326.</del> | <u>327.</u> | <b>Street width:</b> The distance between street lines, measured at right angles to the center line of the street.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>327.</del> | <u>328.</u> | <b>Street, center line of:</b> A line established as a center line of a street by any state, City or other official agency or governing body having jurisdiction thereof and shown as such on an officially adopted or legally recorded map. If there is no official center line of a street, the center line shall be a line lying midway between the street or right-of-way lines thereof. Where street lines are indeterminate and a pavement or a traveled way exists, the center line shall be established by the City Engineer or, in the absence of a determination by the department of public works, shall be assumed to be a line midway between the edges of such pavement or traveled way.                                   |
| <del>328.</del> | <u>329.</u> | <b>Street:</b> A street, highway, avenue, lane, marginal access street, service drive, alley, bridge, viaduct, or any segment thereof, lying within a public right-of-way at least 20 feet in width.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>329.</del> | <u>330.</u> | <b>Structural engineer:</b> means a structural engineer licensed by the Commonwealth of Virginia.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>330.</del> | <u>331.</u> | <b>Structure:</b><br>1. Any object, including a mobile object, constructed or installed by any person, including but not limited to buildings, towers, cranes, smokestacks, earth formations, poles and electric lines of overhead transmission routes, and flag poles.<br>2. For purposes of floodplain regulation, anything constructed, set, placed or erected on the ground or attached to the ground including, but not limited to, buildings, factories, sheds, cabins, manufactured homes and other similar items which shall be anchored and floodproofed within the floodplain.                                                                                                                                                 |
| <del>331.</del> | <u>332.</u> | <b>Subdivision:</b> The division of any tract or parcel of land, including frontage along an existing street or highway, into two or more zoning lots; or any improvement of land by two or more principal buildings for the purpose, whether immediate or future, of building development for rental, lease or sale, which may include changes in street or lot lines; provided, however, that this definition of a subdivision shall not include the divisions of land into ten acres or more for agricultural uses.                                                                                                                                                                                                                   |
| <del>332.</del> | <u>333.</u> | <b>Substantial damage:</b> Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damaged occurred.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>333.</del> | <u>334.</u> | <b>Substantial improvement:</b><br>1. For purposes of the historic district, any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. The term includes structures which have incurred substantial damage regardless of the actual repair work performed. The term does not, however, include either:<br>a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | <p>safe living conditions, or</p> <p>b. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.</p> <p>2. For purposes of floodplain regulation:</p> <p>a. Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:</p> <ol style="list-style-type: none"> <li>before the improvement or repair is started; or</li> <li>if the structure has been damaged, and is being restored, before the damage occurred.</li> </ol> <p>b. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:</p> <ol style="list-style-type: none"> <li>any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or</li> <li>any alteration of a structure listed on the national register of historic places or a state inventory of historic places.</li> </ol> <p>c. The repair, reconstruction or improvement of the streets, utilities and pads in a manufactured home park or manufactured home subdivision which equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced.</p> |
| <del>334.</del> | <u>335.</u> | <b>Surface area of sign:</b> The entire area of the sign within a single continuous perimeter including the extreme limits of writing, pictorial representation, emblem, figure, graphic, or any figure of similar character. The sign base, box, frame, and/or structure shall not be considered the surface area of a sign unless there is writing or internal illumination on such sign components. For the purpose of computing, the surface area of a double-faced sign or a V-type sign shall be considered a single structure; provided, that the interior angle of the V-type sign does not exceed 45 degrees.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>335.</del> | <u>336.</u> | <b>Swimming pool, commercial:</b> A swimming pool and/or wading pool, including buildings necessary or incidental thereto, open to the general public and operated for profit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>336.</del> | <u>337.</u> | <b>Swimming pool, community:</b> A swimming pool and/or wading pool, including buildings necessary or incidental thereto, operated by members of more than two families for the benefit of such group and not open to the general public, whether incorporated or unincorporated, whether organized as a club or cooperative or association, providing that it is not organized for profit and that the right to use said pool is restricted to such families and their guests. A swimming pool and/or wading pool operated as part of a multiple dwelling is also a community swimming pool, providing that it is not operated for profit, and that the right to use said pool is restricted to tenants of the multiple dwelling and their guests.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>337.</del> | <u>338.</u> | <b>Swimming pool, private:</b> See private recreational facilities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>338.</del> | <u>339.</u> | <b>Telecommunications facilities:</b> means any cables, wires, lines, wave guides, antennas, and any other equipment associated with the transmission or reception of communications (other than radio or television broadcast communications) which a                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | <p>person seeks to locate or has installed upon or near a tower or antenna support structure. The term telecommunications facilities shall not include:</p> <ol style="list-style-type: none"> <li>1. Any satellite earth station antenna two meters in diameter or less which is located in an area zoned industrial or commercial; or</li> <li>2. Any satellite earth station antenna one meter or less in diameter, regardless of zoning category; or</li> <li>3. Any federally-licensed amateur radio station operators.</li> </ol> |
| <del>339.</del> | <u>340.</u> | <b>Temporary sign:</b> A sign designed or intended to be displayed for a limited period of time as indicated in the Zoning Ordinance.                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>340.</del> | <u>341.</u> | <b>Thrift store:</b> A store selling used items, particularly clothing for the benefit of a charitable organization.                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>341.</del> | <u>342.</u> | <b>Topping:</b> An inappropriate practice of making heading cuts to plants through a stem more than two years old that drastically reduces tree height, destroys tree architecture and results in discoloration, decay of the cut stem, or death of the tree.                                                                                                                                                                                                                                                                           |
| <del>342.</del> | <u>343.</u> | <b>Tourist home or bed and breakfast:</b> A dwelling, occupied as such, in which sleeping accommodations in less than six rooms with not more than four persons per room are provided or offered for transient guests for compensation, under the management of the occupants of that dwelling for dwelling purposes. A tourist home or bed and breakfast shall not be deemed a home occupation.                                                                                                                                        |
| <del>343.</del> | <u>344.</u> | <b>Tower owner:</b> means the person that owns or controls a telecommunications tower.                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>344.</del> | <u>345.</u> | <b>Tower:</b> means a self-supporting lattice, guyed, or monopole structure constructed from grade that supports telecommunications facilities. The term tower shall not include amateur radio operators' equipment, as licensed by the FCC.                                                                                                                                                                                                                                                                                            |
| <del>345.</del> | <u>346.</u> | <b>Townhouse:</b> One of a series of from three to nine attached dwelling units separated from one another by common vertical walls with no openings; provided, that the maximum density permitted hereunder shall not be exceeded.                                                                                                                                                                                                                                                                                                     |
| <del>346.</del> | <u>347.</u> | <b>Trailer:</b> A residence, house car, camp car or any portable or mobile vehicle on wheels, skids or rollers, not structurally anchored to a foundation, either self-propelled or propelled by an attached vehicle, animal, person or other propelling apparatus, which is used or may be used for residential, commercial, recreational, hauling or storage purposes.                                                                                                                                                                |
| <del>347.</del> | <u>348.</u> | <b>Transitional surfaces:</b> Imaginary surfaces for airport operations, whose design standards are referenced in <a href="#">section 35.2-57.3</a> which extend outward perpendicular to the runway centerline sloping from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces.                                                                                                                                                                                                |
| <del>348.</del> | <u>349.</u> | <b>Tree, small deciduous:</b> A small deciduous tree shall be of a species having an average minimum mature crown spread of greater than 12 feet. A minimum caliper of at least one and three-fourths inches at the time of planting shall be required.                                                                                                                                                                                                                                                                                 |
| <del>349.</del> | <u>350.</u> | <b>Unified and coordinated building mounted signs:</b> Signs that are similar in construction technique, but not including font, or color.                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>350.</del> | <u>351.</u> | <b>Unified Ownership or Control:</b> The interest in title to a unit of land legally or beneficially held or controlled by one or more individual persons or entities related by                                                                                                                                                                                                                                                                                                                                                        |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | a common business organization or other type of organization, as indicated by the fact that all land abutting such unit is owned or controlled by persons or entities who do not differ to any extent in identity or interest held.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <del>351.</del> | <u>352.</u> | <b>Use, accessory:</b> See accessory use.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>352.</del> | <u>353.</u> | <b>Use:</b><br>1. Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained or occupied.<br>2. Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a tract of land.<br>3. The term "permitted use," or its equivalent, shall not be deemed to include any nonconforming use.                                                                                                                                                                                                                                                                                                                                              |
| <del>353.</del> | <u>354.</u> | <b>Utility line, distribution:</b> A utility line that has the primary purpose of distributing services within easements or rights of way and connecting to service utility lines.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>354.</del> | <u>355.</u> | <b>Utility line, service:</b> A utility line providing a connection between a utility distribution line and the end user.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>355.</del> | <u>356.</u> | <b>Utility line, transmission:</b> A utility line intended to convey high capacities of services through the community and between communities from the source of the services (treatment or generation plant) to a substation connecting to the distribution system.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>356.</del> | <u>357.</u> | <b>Wall plane projections:</b> An architectural feature or wall jutting out at least three feet from the primary plane of a building wall.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>357.</del> | <u>358.</u> | <b>Water feature:</b> A stormwater management structural measure such as a stormwater retention pond, bio-retention, forebay, or landscape garden pond that is wet permanently or intermittently during rain events and contains landscaping that is hydric or water tolerant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>358.</del> | <u>359.</u> | <b>Water surface profiles:</b> The elevations in relation to the mean sea level expected to be reached by floods of various magnitudes and frequencies at pertinent points along a stream.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>359.</del> | <u>360.</u> | <b>Watercourse:</b> A lake, river, creek, stream, wash, channel or other topographic feature on or over which water flows at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>360.</del> | <u>361.</u> | <b>Window sign:</b> A sign attached to, applied directly to, or located within 12 inches from a door or window.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>361.</del> | <u>362.</u> | <b>Yard Sale:</b> Permitted in Zoning Districts used for residential purposes provided the following is adhered to:<br>1. A total of two sales permitted per calendar year per street address.<br>2. A sale shall not exceed two consecutive days.<br>3. Sale shall consist primarily of those personal items accumulated and used by the occupant of the premises.<br>4. There shall be a minimum interval of four months between sales.<br>5. One sign not exceeding three square feet in area will be permitted on premises the day of the sale and shall be promptly removed at end of each sale day.<br>6. Signs advertising a sale are prohibited on street right-of-ways.<br>7. Permitted sale shall not create adverse conditions such as noise, nor impede |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | pedestrian or vehicular traffic.                                                                                                                                                                                                                                                                                                                                     |
| <del>362.</del> | <u>363.</u> | <b>Yard, front:</b> The area between the front lot line and the front of the building and extending from the front corners of the building to the side property lines.                                                                                                                                                                                               |
| <del>363.</del> | <u>364.</u> | <b>Yard, rear:</b> An area between the rear of the building and the rear property line and extending from the rear corners of the building to the side property lines.                                                                                                                                                                                               |
| <del>364.</del> | <u>365.</u> | <b>Yard, side:</b> The area between the side of a building and the side property lines                                                                                                                                                                                                                                                                               |
| <del>365.</del> | <u>366.</u> | <b>Zone, airport:</b> For purposes of the airport overlay district, all areas, generally described in three dimensions by reference to ground elevation, vertical distances from the ground elevation, horizontal distances from the runway centerline and the primary and horizontal surfaces, with the zone floor set at specific vertical limits by the surfaces. |
| <del>366.</del> | <u>367.</u> | <b>Zoning district:</b> The base or overlay zoning designation assigned to each parcel of land within the City of Lynchburg.                                                                                                                                                                                                                                         |
| <del>367.</del> | <u>368.</u> | <b>Zoning maps:</b> Maps designating the adopted base and overlay zoning district designations for each parcel of land within the City of Lynchburg.                                                                                                                                                                                                                 |

(Remainder of Page Intentionally Left Blank)

2. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-46.2 of Article IV of Chapter 35.2 as follows:

**Sec. 35.2-46.2. - Authorized uses.**

- (a) The uses authorized by Exhibit IV-15 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII as well as other applicable rules and regulations.
- (b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.
- (c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.
- (d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

**Exhibit IV-15 Authorized Uses in B-3 District**

| Land Use                                                                    | LBCS # | Description                                                                                                                                     | Approval Type |
|-----------------------------------------------------------------------------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| single-household detached                                                   | 1111S  | Typical single-household dwelling                                                                                                               | P             |
| modular home                                                                | 1114S  | A prefabricated home without axles or frames (see definitions)                                                                                  | P             |
| Two-household (duplex)                                                      | 1121S  | A building located on one (1) zoning lot containing not more than two (2) dwelling units                                                        | C             |
| single-household attached (townhouse)                                       | 1140S  | Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered                                                         | C             |
| Multi-household structures                                                  | 1200S  | Includes triplexes, four-plexes, and other multi-household dwellings                                                                            | C             |
| Mixed-use residential structures (see district regulations for limitations) | 1201S  | Typically commercial uses on lower floors and residential uses on upper floors                                                                  | P             |
| Housing Services                                                            | 1200   | Housing and custodial services for those who cannot care for themselves. Includes nursing and retirement homes, congregate living, assisted and | P             |

| Land Use                                                                                                                                               | LBCS #           | Description                                                                                                                                                                               | Approval Type |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                                                                                        |                  | continuing care living, but excludes rehab uses in LBCS #6520)                                                                                                                            |               |
| <b>Bed &amp; Breakfast and Tourist Homes</b>                                                                                                           | <b>1310</b>      | Guest rooms in a private home or accessory building to a private home                                                                                                                     | P             |
| <b>boarding house</b>                                                                                                                                  | <b>1321</b>      | Non-transient lodging that may include meals and is owner occupied                                                                                                                        | P             |
| <b>rooming house</b>                                                                                                                                   | <b>1322</b>      | Transient or non-transient lodging that may include meals                                                                                                                                 | P             |
| <b>dormitory, sorority or fraternity house</b>                                                                                                         | <b>1323</b>      | Allowed only as accessory uses to and owned by a college or university                                                                                                                    | C             |
| <b>Hotel, motel, or tourist court</b>                                                                                                                  | <b>1330</b>      | Hotels that do not have gambling services; includes extended-stay hotels                                                                                                                  | P             |
| <b>Short Term Rental</b>                                                                                                                               | <b>1350</b>      | Provision of lodging for fewer than thirty (30) consecutive days. (See <a href="#">Section 35.2-71.16</a> )                                                                               | P             |
| <b>bicycles</b>                                                                                                                                        | <b>2113b</b>     | New or used bicycle sales, rental and repair                                                                                                                                              | P             |
| <b>parts, accessories, or tires</b>                                                                                                                    | <b>2115</b>      | Automotive parts and supply stores, automotive stereo stores.                                                                                                                             | P             |
| <b>gasoline service</b>                                                                                                                                | <b>2116</b>      | Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair                                                              | P             |
| <b>light auto repair</b>                                                                                                                               | <b>2117a</b>     | Oil change, light auto repair and car wash. May included gasoline and other retail sales.                                                                                                 | C             |
| <b>heavy auto repair</b>                                                                                                                               | <b>2117b</b>     | Auto repair, paint and body shops. May include gasoline and other retail sales.                                                                                                           | C             |
| <b>furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and</b> | <b>2121-2125</b> | Furniture, flooring, bedding stores; home building and repair supplies, painting supplies, farm goods, lighting supply, window treatment; nursery and garden products predominantly grown | P             |

| Land Use                                                                                                                                                                                    | LBCS #           | Description                                                                                                                                                                                                                                                                                                           | Approval Type |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>appliances</b>                                                                                                                                                                           |                  | elsewhere, power equipment sales or services; large variety stores; household-type appliances, television, stereos, including repair shops and cell phone stores.                                                                                                                                                     |               |
| <b>computer and software</b>                                                                                                                                                                | <b>2131</b>      | Computers and prepackaged software including repair, support, and training                                                                                                                                                                                                                                            | P             |
| <b>camera and photographic supplies; clothing, jewelry, luggage, shoes, clocks, sewing; sporting goods, toy and hobby, and musical instruments; mixed media, school and office supplies</b> | <b>2132-2135</b> | Primarily retail cameras and photographic supplies or retail with repair and film developing; clothing (including shoe repair and tailoring, sporting goods, toys, musical instruments, kitchen goods, books, magazines, music, videos, stationary, greeting cards, seasonal decorations, office and school supplies. | P             |
| <b>florist, art supplies, tobacco products</b>                                                                                                                                              | <b>2141-2143</b> | Florists, art supplies and art dealers, frame shops, tobacco products                                                                                                                                                                                                                                                 | P             |
| <b>art galleries</b>                                                                                                                                                                        | <b>2142b</b>     | Excludes art supply sales and retail framing services                                                                                                                                                                                                                                                                 | P             |
| <b>antique shop</b>                                                                                                                                                                         | <b>2145</b>      | Antique shops, (excludes flea markets, thrift stores and pawn shops)                                                                                                                                                                                                                                                  | P             |
| <b>flea markets and thrift stores</b>                                                                                                                                                       | <b>2145b</b>     | Flea markets and thrift stores                                                                                                                                                                                                                                                                                        | P             |
| <b>grocery store, supermarket, or bakery, convenience store, specialty food stores</b>                                                                                                      | <b>2151-2154</b> | Included are grocery stores, convenience stores, meat, seafood and produce markets, coffee, confections, variety goods and general stores, and delicatessens. Excludes stores with fuel pumps (see 2116 for fuel sales).                                                                                              | P             |
| <b>beer, wine, and liquor store</b>                                                                                                                                                         | <b>2155</b>      |                                                                                                                                                                                                                                                                                                                       | P             |
| <b>Health and personal care</b>                                                                                                                                                             | <b>2160</b>      | Retail prescription or nonprescription drugs; retail cosmetics, perfumes, toiletries; prescription or nonprescription eyeglasses; prescription or nonprescription health and convalescent aids; medical devices, retail food supplement products such as                                                              | P             |

| Land Use                                                                                                        | LBCS #                 | Description                                                                                                                                                                     | Approval Type |
|-----------------------------------------------------------------------------------------------------------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                                                 |                        | vitamins, nutrition supplements, and body enhancing supplements.                                                                                                                |               |
| <b>Markets for farm produce or crafts</b>                                                                       | <b>2199</b>            | Markets and truck gardens.                                                                                                                                                      | C             |
| <b>Bank, credit union, or savings institution</b>                                                               | <b>2210</b>            | Central banking functions                                                                                                                                                       | P             |
| <b>credit card and other financing</b>                                                                          | <b>2221</b>            | Credit card, sales financing, unsecured consumer lending, real estate credit, mortgages, international trade financing                                                          | P             |
| <b>pawn shops</b>                                                                                               | <b>2222</b>            |                                                                                                                                                                                 | P             |
| <b>short-term loans</b>                                                                                         | <b>2223</b>            | Pay-day lenders and other businesses providing loans with terms of 45 days or less                                                                                              | P             |
| <b>precious metal buyers</b>                                                                                    | <b>2224</b>            | Businesses providing cash for gold and other precious metals or gems (excludes retail jewelers)                                                                                 | P             |
| <b>Investment banking, securities, and brokerages; insurance; fund, trust, or other financial establishment</b> | <b>2230-2250</b>       | Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries | P             |
| <b>Real estate services</b>                                                                                     | <b>2310</b>            | Sell or lease real estate such as buildings, manufactured home sites and vacant lots; includes real estate appraisers and realtor offices                                       | P             |
| <b>Property management services</b>                                                                             | <b>2320</b>            | Manage real property for others                                                                                                                                                 | P             |
| <b>vehicles</b>                                                                                                 | <b>2331 &amp; 2332</b> | Lease passenger cars, trucks, trailers, RVs, buses and aircraft; drivers not provided                                                                                           | C             |
| <b>Professional offices</b>                                                                                     | <b>2411-2014</b>       | Title abstract, lawyers, notaries, accountants, bookkeeping, payroll services, architects, engineers, surveyors, graphic design, interior design and industrial design          | P             |

| Land Use                                                                 | LBCS #                  | Description                                                                                                                                                  | Approval Type |
|--------------------------------------------------------------------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>consulting services (management, environmental technical)</b>         | <b>2415</b>             | Advise and assist businesses on management, scientific, and technological issues                                                                             | P             |
| <b>scientific research and development services</b>                      | <b>2416</b>             | Conduct research or analyze in the physical, engineering, cognitive, or life sciences in laboratories or offices.                                            | P             |
| <b>advertising, media and photography services</b>                       | <b>2417</b>             | Includes advertising, marketing and public relations agencies, photographic studios and photographic services.                                               | P             |
| <b>veterinary services</b>                                               | <b>2418</b>             | Veterinary medicine, testing services for veterinary practitioners                                                                                           | C             |
| <b>other professional offices</b>                                        | <b>2419, 6810, 6820</b> | Includes advertising and media services intellectual property rights, franchising, labor, political or business organizations, and uses with similar impacts | P             |
| <b>office administrative services</b>                                    | <b>2421</b>             | Office administration such as billing, record keeping, personnel, organizational planning                                                                    | P             |
| <b>facilities support services</b>                                       | <b>2422</b>             | Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.                            | P             |
| <b>employment agency</b>                                                 | <b>2423a</b>            | Provide employee placement, temporary help                                                                                                                   | P             |
| <b>copy center, private mail center, other business support services</b> | <b>2424</b>             | Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, internet access, small signs and banners               | P             |
| <b>collection agency</b>                                                 | <b>2425</b>             | Collect payments, compile credit information, repossess tangible assets                                                                                      | P             |
| <b>Travel arrangement and reservation services</b>                       | <b>2430</b>             | Promote or sell travel, includes convention and visitors' bureaus                                                                                            | P             |

| Land Use                                       | LBCS #           | Description                                                                                                                                                                 | Approval Type |
|------------------------------------------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Investigation and security services            | 2440             | Provide detective, guard and patrol services, picking up and delivery of money, selling of security systems, remote monitoring of security systems, locksmiths              | P             |
| Restaurants, cafeterias, snack bars & catering | 2510-2530 & 2560 | Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.         | P             |
| Mobile food services                           | 2550             | Prepare and serve meals and snacks for immediate consumption from motorized vehicles                                                                                        | P             |
| Personal care                                  | 2610             | Hair, nail, and skin care and related personal care, barbers, beauty shops, dieting and weight loss, tanning, hair removal, hair weaving, ear piercing and similar services | P             |
| laundromat and dry cleaning                    | 2621 & 2622      | Includes Laundromats, dry cleaners, diaper services as well as other commercial laundry services                                                                            | P             |
| Photofinishing                                 | 2630             | Primarily engaged in developing film or making slides, etc.                                                                                                                 | P             |
| Parking lot and parking garage                 | 2640             | See district standards                                                                                                                                                      | P             |
| licensed massage therapist                     | 2651             |                                                                                                                                                                             | P             |
| Tattoo Parlor                                  | 2652             | Tattoos by a licensed professional                                                                                                                                          | P             |
| adult retail establishment                     | 2653             | Stores primarily selling adult oriented products, including books, videos, magazines, toys, lingerie and other sexually-oriented goods                                      | P             |
| Pet or pet supply store                        | 2710             | Retail pets, pet foods, pet supplies                                                                                                                                        | P             |
| animal services                                | 2721             | grooming and training                                                                                                                                                       | P             |
| animal boarding                                | 2722             | sitting and boarding                                                                                                                                                        | C             |

| Land Use                                                     | LBCS #                 | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Approval Type |
|--------------------------------------------------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| pet cemetery                                                 | 2723                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | P             |
| national post office                                         | 4181                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | P             |
| retail courier and package delivery                          | 4182                   | Retail courier, package drop-off and mail services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | P             |
| radio and television broadcasting                            | 4231, 4232 & 4241      | Operate broadcasting studios and facilities for over the air, cable or satellite delivery of radio and television programs                                                                                                                                                                                                                                                                                                                                                                                                                                   | P             |
| wireless telecommunications transmission                     | 4233                   | Operate, maintain or provide access to facilities for the transmission of voice, data, text, sound or video, see <a href="#">section 35.2-73</a> for telecommunications ordinance                                                                                                                                                                                                                                                                                                                                                                            | C/P           |
| telephone and other wired telecommunications                 | 4234                   | Operate telephone networks - excludes switching stations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | P             |
| Telecommunications switching stations/exchanges              | 4239                   | Telecommunications switching stations and exchanges with no on-site employees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | C             |
| library or archive                                           | 4242                   | Provide library or archive services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | P             |
| data processing and management, hosting and related services | 4244                   | Web hosting, computer data storage, optical scanning, computer input preparation, microfilm imaging                                                                                                                                                                                                                                                                                                                                                                                                                                                          | P             |
| Public Utilities Services, Major                             | 4315, 4329, 4339, 4349 | Includes transmission lines for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission of a regional nature and normally entail the construction of new buildings or structures such as electrical switching facilities and stations or substations, electric, gas, and other utility transmission lines of a regional nature which are not otherwise reviewed and approved by the Virginia State Corporation Commission. All overhead transmission lines are included in this | C             |

| Land Use                                                                           | LBCS #                        | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Approval Type |
|------------------------------------------------------------------------------------|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                    |                               | definition.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |
| <b>Public Utilities Service Minor</b>                                              | <b>4315, 4329, 4339, 4349</b> | Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures. | P             |
| <b>electric substations</b>                                                        | <b>4316</b>                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | C             |
| <b>Water treatment plants and utility facilities</b>                               | <b>4331 - 4333,</b>           | Water treatment plants, pumping stations and lift stations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | C             |
| <b>Theater, dance or music establishment</b>                                       | <b>5110 &amp; 5160</b>        | Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers                                                                                                                                                                                                                                                                                                                                                   | P             |
| <b>Motion picture viewing and exhibition services</b>                              | <b>5111</b>                   | Operate movie theaters (excluding drive-ins), film festival exhibitions                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | P             |
| <b>Promoter of sports, performing arts, similar events and management services</b> | <b>5140 - 5150</b>            | Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers                                                                                                                                                                                                                                                                                                                                                                                                                              | P             |
| <b>Indoor auditorium or arena</b>                                                  | <b>5170</b>                   | Indoor auditoriums, arenas, conference centers, or multipurpose facilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | P             |
| <b>Museums and Other Special Purpose Recreational Institutions</b>                 | <b>5200</b>                   | Public and private museums, historical sites, and similar establishments                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | P             |
| <b>Amusement or theme park establishment</b>                                       | <b>5310</b>                   | Operate a variety of attractions such as mechanical rides, water rides, games                                                                                                                                                                                                                                                                                                                                                                                                                                                              | C             |

| Land Use                               | LBCS #                | Description                                                                                                                                                                                             | Approval Type |
|----------------------------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Commercial Amusements                  | 5320, 5380, 5390      | Operate arcades and other commercial amusements as defined herein                                                                                                                                       | P             |
| Country Club                           | 5340 & 6830           | Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings | P             |
| fitness and recreational sports center | 5371                  | Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building    | P             |
| outdoor recreation                     | 5372, 5373 & 5374     | Includes golf courses, archery ranges, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding (excludes automobile, dog and horse racing)  | C             |
| shooting ranges, indoor                | 5375                  |                                                                                                                                                                                                         | C             |
| Natural and other Recreational Parks   | 5500                  | All parks without special economic functions, other than limited concessions                                                                                                                            | P             |
| Nursery or preschool                   | 6110                  |                                                                                                                                                                                                         | P             |
| Grade school                           | 6120                  | Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere. See district use standards.                 | P             |
| College or university                  | 6130                  | See district use standards.                                                                                                                                                                             | P             |
| general technical schools              | 6141-6143, 6145, 6147 | Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities. See district use standards.                                      | P             |

| Land Use                                           | LBCS #       | Description                                                                                                                               | Approval Type   |
|----------------------------------------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| driving education                                  | 6144         |                                                                                                                                           | P               |
| Public Safety                                      | 6400         | Government-owned establishments providing fire and rescue, police, and emergency response services                                        | P               |
| clinic                                             | 6511 & 6567  | Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans affairs services              | P               |
| outpatient care clinic                             | 6512         | Provide outpatient family planning services and outpatient care                                                                           | P               |
| <u>abortion clinic</u>                             | <u>6512a</u> | <b><u>Abortion clinics – as defined in Section 35.2-113</u></b><br><br><b><u>(see standards in Section 35.2-72.28)</u></b>                | <b><u>C</u></b> |
| medical or diagnostic laboratory; blood/organ bank | 6513 - 6514  | Provide analytic or diagnostic services including medical imaging                                                                         | P               |
| group home small                                   | 6522         | Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities | P               |
| group home large                                   | 6523         | Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities          | P               |
| Hospital                                           | 6530         |                                                                                                                                           | C               |
| child and adult day care                           | 6562         | Provide day care for children and adults                                                                                                  |                 |
| home                                               | 6562a        | Day care for fewer than six (6) individuals in a residence                                                                                | P               |
| small                                              | 6562b        | Day care for six (6) to twelve (12) individuals in a residence                                                                            | P               |
| large                                              | 6562c        | Provide care for more than 12 individuals                                                                                                 | P               |

| Land Use                                                      | LBCS # | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Approval Type |
|---------------------------------------------------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Religious Institutions                                        | 6600   | Churches, temples, synagogues, mosques, convents and monasteries                                                                                                                                                                                                                                                                                                                                                                                                                               | P             |
| Death Care Services                                           | 6700   | Funeral homes, crematories, cemeteries                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |
| Funeral home and services                                     | 6710   | Includes funeral homes combined with crematories                                                                                                                                                                                                                                                                                                                                                                                                                                               | P             |
| free-standing cemetery                                        | 6722   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | P             |
| columbarium                                                   | 6724   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | C             |
| Construction-Related Businesses                               | 7000   | Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may limit or preclude manufacturing, outdoor operations, outdoor storage of commercial vehicles and materials. | P             |
| Vegetable farming or growing                                  | 9120   | Includes private fields and community gardens with production limited to retail sales                                                                                                                                                                                                                                                                                                                                                                                                          | P             |
| Commercial orchards                                           | 9130   | Includes fruit and nut trees with production limited to retail sales                                                                                                                                                                                                                                                                                                                                                                                                                           | P             |
| Greenhouse - no on-premises sales                             | 9141   | Commercial greenhouse production                                                                                                                                                                                                                                                                                                                                                                                                                                                               | P             |
| Greenhouse - sales of products grown on premises              | 9142   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | P             |
| Greenhouse - sales of products and related accessory products | 9143   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | P             |
| Animal Production                                             | 9300   | Keep, graze, breed or feed animals (see standards in <a href="#">section 35.2-71.7</a> )                                                                                                                                                                                                                                                                                                                                                                                                       | P             |

| Land Use                                   | LBCS # | Description                                                                                                                                             | Approval Type |
|--------------------------------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| tent revival meetings/transient amusements | 9921   | Includes temporary carnivals and circuses sponsored by non-profit organizations (see <a href="#">section 35.2-72.23</a> )                               | P             |
| temporary outdoor promotional attractions  | 9922   | Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see <a href="#">section 35.2-72.23</a> ) | P             |
| traditional neighborhood development       | 9952   | See <a href="#">section 35.2-82</a> )                                                                                                                   | C             |
| large scale retail establishments          | 9954   | See <a href="#">section 35.2-84</a>                                                                                                                     | P             |
| cluster commercial development             | 9955   | See <a href="#">section 35.2-85</a>                                                                                                                     | C             |

(Remainder of Page Intentionally Left Blank)

3. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-48.2 of Article IV of Chapter 35.2 as follows:

**Sec. 35.2-48.2. - Authorized uses.**

- (a) The uses authorized by Exhibit IV-19 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII as well as other applicable rules and regulations.
- (b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.
- (c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.
- (d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

**Exhibit IV-19: Authorized Uses in B-5 District**

| Land Use                              | LBCS # | Description                                                                                                                                                                                                             | Approval Type |
|---------------------------------------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| single-household detached             | 1111S  | Typical single-household dwelling                                                                                                                                                                                       | C             |
| modular home                          | 1114S  | A prefabricated home without axles or frames (see definitions)                                                                                                                                                          | C             |
| manufactured home                     | 1115S  | A structure, transportable in one (1) or more sections, built after 1978 on a permanent chassis, and designed for use with or without a permanent foundation when connected to the required utilities (see definitions) | C             |
| Two-household (duplex)                | 1121S  | A building located on one (1) zoning lot containing not more than two (2) dwelling units                                                                                                                                | C             |
| single-household semi-detached        | 1122S  | One of two dwellings separated by a party wall, on abutting lots                                                                                                                                                        | C             |
| single-household attached (townhouse) | 1140S  | Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered                                                                                                                                 | C             |
| Multi-household structures            | 1200S  | Includes triplexes, four-plexes, and other                                                                                                                                                                              | C             |

| Land Use                                                                    | LBCS #    | Description                                                                                                                                                                                                    | Approval Type |
|-----------------------------------------------------------------------------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                             |           | multi-household dwellings                                                                                                                                                                                      |               |
| Mixed-use residential structures (see district regulations for limitations) | 1201S     | Typically commercial uses on lower floors and residential uses on upper floors                                                                                                                                 | P             |
| Housing Services                                                            | 1200      | Housing and custodial services for those who cannot care for themselves. Includes nursing and retirement homes, congregate living, assisted and continuing care living, but excludes rehab uses in LBCS #6520) | P             |
| Bed & Breakfast and Tourist Homes                                           | 1310      | Guest rooms in a private home or accessory building to a private home                                                                                                                                          | P             |
| boarding house                                                              | 1321      | Non-transient lodging that may include meals and is owner occupied                                                                                                                                             | P             |
| rooming house                                                               | 1322      | Transient or non-transient lodging that may include meals                                                                                                                                                      | P             |
| dormitory, sorority or fraternity house                                     | 1323      | Allowed only as accessory uses to and owned by a college or university                                                                                                                                         | C             |
| Hotel, motel, or tourist court                                              | 1330      | Hotels that do not have gambling services; includes extended-stay hotels                                                                                                                                       | P             |
| Short Term Rental                                                           | 1350      | Provision of lodging for fewer than thirty (30) consecutive days. (See <a href="#">Section 35.2-71.16</a> )                                                                                                    | P             |
| car, motorcycle, manufactured homes or RV dealer                            | 2111-2113 | New or used automobiles, light trucks, motorcycles, RV's, manufactured homes, and buses                                                                                                                        | P             |
| bicycles                                                                    | 2113b     | New or used bicycle sales, rental and repair                                                                                                                                                                   | P             |
| boat or marine craft dealer                                                 | 2114      | New or used boats sales, rental and related repair services                                                                                                                                                    | P             |
| parts, accessories, or tires                                                | 2115      | Automotive parts and supply stores, automotive stereo stores.                                                                                                                                                  | P             |

| <b>Land Use</b>                                                                                                                                                                             | <b>LBCS #</b>    | <b>Description</b>                                                                                                                                                                                                                                                                                                                                          | <b>Approval Type</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>gasoline service</b>                                                                                                                                                                     | <b>2116</b>      | Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair                                                                                                                                                                                                                                | P                    |
| <b>light auto repair</b>                                                                                                                                                                    | <b>2117a</b>     | Oil change, light auto repair and car wash. May include gasoline and other related sales.                                                                                                                                                                                                                                                                   | P                    |
| <b>heavy auto repair</b>                                                                                                                                                                    | <b>2117b</b>     | Auto repair, paint and body shops. May include gasoline and other retail sales.                                                                                                                                                                                                                                                                             | P                    |
| <b>furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances</b>                           | <b>2121-2125</b> | Furniture, flooring, bedding stores; home building and repair supplies, painting supplies, farm goods, lighting supply, window treatment; nursery and garden products predominantly grown elsewhere, power equipment sales or services; large variety stores; household-type appliances, television, stereos, including repair shops and cell phone stores. | P                    |
| <b>lumber yard and building materials; heating and plumbing equipment; heavy equipment</b>                                                                                                  | <b>2126-2128</b> | Lumber yards and heavy building materials; heating and plumbing equipment retailers; for heating and plumbing contractors who install or service, use the appropriate construction category; construction equipment and vehicles; includes authorized storage (3650)                                                                                        | P                    |
| <b>computer and software</b>                                                                                                                                                                | <b>2131</b>      | Computers and prepackaged software including repair, support, and training                                                                                                                                                                                                                                                                                  | P                    |
| <b>camera and photographic supplies; clothing, jewelry, luggage, shoes, clocks, sewing; sporting goods, toy and hobby, and musical instruments; mixed media, school and office supplies</b> | <b>2132-2135</b> | Primarily retail cameras and photographic supplies or retail with repair and film developing; clothing (including shoe repair and tailoring, sporting goods, toys, musical instruments, kitchen goods, books, magazines, music, videos, stationary, greeting cards, seasonal decorations, office and school supplies.                                       | P                    |
| <b>florist, art supplies, tobacco products</b>                                                                                                                                              | <b>2141-2143</b> | Florists, art supplies and art dealers, frame shops, tobacco products                                                                                                                                                                                                                                                                                       | P                    |

| <b>Land Use</b>                                                                 | <b>LBCS #</b> | <b>Description</b>                                                                                                                                                                                                                                                                                                        | <b>Approval Type</b> |
|---------------------------------------------------------------------------------|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| art galleries                                                                   | 2142b         | Excludes art supply sales and retail framing services                                                                                                                                                                                                                                                                     | P                    |
| mail order or direct selling establishment                                      | 2144          | Retailing other than through locations where shoppers physically visit                                                                                                                                                                                                                                                    | P                    |
| antique shop                                                                    | 2145          | Antique shops, (excludes flea markets, thrift stores and pawn shops)                                                                                                                                                                                                                                                      | P                    |
| flea markets and thrift stores                                                  | 2145b         | Flea markets and thrift stores                                                                                                                                                                                                                                                                                            | P                    |
| grocery store, supermarket, or bakery, convenience store, specialty food stores | 2151-2154     | Included are grocery stores, convenience stores, meat, seafood and produce markets, coffee, confections, variety goods and general stores, and delicatessens. Excludes stores with fuel pumps (see 2116 for fuel sales).                                                                                                  | P                    |
| beer, wine, and liquor store                                                    | 2155          |                                                                                                                                                                                                                                                                                                                           | P                    |
| Health and personal care                                                        | 2160          | Retail prescription or nonprescription drugs; retail cosmetics, perfumes, toiletries; prescription or nonprescription eyeglasses; prescription or nonprescription health and convalescent aids; medical devices, retail food supplement products such as vitamins, nutrition supplements, and body enhancing supplements. | P                    |
| Markets for farm produce or crafts                                              | 2199          | Markets and truck gardens.                                                                                                                                                                                                                                                                                                | P                    |
| Bank, credit union, or savings institution                                      | 2210          | Central banking functions                                                                                                                                                                                                                                                                                                 | P                    |
| credit card and other financing                                                 | 2221          | Credit card, sales financing, unsecured consumer lending, real estate credit, mortgages, international trade financing                                                                                                                                                                                                    | P                    |
| pawn shops                                                                      | 2222          |                                                                                                                                                                                                                                                                                                                           | P                    |
| short-term loans                                                                | 2223          | Pay-day lenders and other businesses                                                                                                                                                                                                                                                                                      | P                    |

| Land Use                                                                                                 | LBCS #      | Description                                                                                                                                                                                                                                                                                                                                                                   | Approval Type |
|----------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                                          |             | providing loans with terms of 45 days or less                                                                                                                                                                                                                                                                                                                                 |               |
| precious metal buyers                                                                                    | 2224        | Businesses providing cash for gold and other precious metals or gems (excludes retail jewelers)                                                                                                                                                                                                                                                                               | P             |
| Investment banking, securities, and brokerages; insurance; fund, trust, or other financial establishment | 2230-2250   | Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries                                                                                                                                                                                               | P             |
| Real estate services                                                                                     | 2310        | Sell or lease real estate such as buildings, manufactured home sites and vacant lots; includes real estate appraisers and realtor offices                                                                                                                                                                                                                                     | P             |
| Property management services                                                                             | 2320        | Manage real property for others                                                                                                                                                                                                                                                                                                                                               | P             |
| vehicles                                                                                                 | 2331 & 2332 | Lease passenger cars, trucks, trailers, RVs, buses and aircraft; drivers not provided                                                                                                                                                                                                                                                                                         | P             |
| recreational goods rental                                                                                | 2333        | Rent skis, canoes, bicycles, sailboats, motorcycles                                                                                                                                                                                                                                                                                                                           | P             |
| commercial, industrial or consumer machinery and equipment rental                                        | 2334 - 2335 | Rent or lease:<br>a) office machinery and equipment; heavy equipment without operators used for construction, well-drilling; other machinery and equipment for uses such as manufacturing or telecommunications; operators not included (note: see 2337 for heavy equipment leasing)<br>b) personal and household-type goods and a range of equipment geared toward consumers | P             |
| Professional offices                                                                                     | 2411-2014   | Title abstract, lawyers, notaries, accountants, bookkeeping, payroll services, architects, engineers, surveyors, graphic design, interior design and industrial design                                                                                                                                                                                                        | P             |

| <b>Land Use</b>                                                          | <b>LBCS #</b>           | <b>Description</b>                                                                                                                                           | <b>Approval Type</b> |
|--------------------------------------------------------------------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>consulting services (management, environmental technical)</b>         | <b>2415</b>             | Advise and assist businesses on management, scientific, and technological issues                                                                             | P                    |
| <b>scientific research and development services</b>                      | <b>2416</b>             | Conduct research or analyze in the physical, engineering, cognitive, or life sciences in laboratories or offices.                                            | P                    |
| <b>advertising, media and photography services</b>                       | <b>2417</b>             | Includes advertising, marketing and public relations agencies, photographic studios and photographic services.                                               | P                    |
| <b>veterinary services</b>                                               | <b>2418</b>             | Veterinary medicine, testing services for veterinary practitioners                                                                                           | P                    |
| <b>other professional offices</b>                                        | <b>2419, 6810, 6820</b> | Includes advertising and media services intellectual property rights, franchising, labor, political or business organizations, and uses with similar impacts | P                    |
| <b>office administrative services</b>                                    | <b>2421</b>             | Office administration such as billing, record keeping, personnel, organizational planning                                                                    | P                    |
| <b>facilities support services</b>                                       | <b>2422</b>             | Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.                            | P                    |
| <b>employment agency</b>                                                 | <b>2423a</b>            | Provide employee placement, temporary help                                                                                                                   | P                    |
| <b>hiring hall</b>                                                       | <b>2423b</b>            | Place of assembly for the registration or assignment of employment                                                                                           | P                    |
| <b>copy center, private mail center, other business support services</b> | <b>2424</b>             | Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, internet access, small signs and banners               | P                    |
| <b>collection agency</b>                                                 | <b>2425</b>             | Collect payments, compile credit information, repossess tangible assets                                                                                      | P                    |
| <b>Travel arrangement and</b>                                            | <b>2430</b>             | Promote or sell travel, includes convention                                                                                                                  | P                    |

| Land Use                                              | LBCS #           | Description                                                                                                                                                                 | Approval Type |
|-------------------------------------------------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| reservation services                                  |                  | and visitors' bureaus                                                                                                                                                       |               |
| Investigation and security services                   | 2440             | Provide detective, guard and patrol services, picking up and delivery of money, selling of security systems, remote monitoring of security systems, locksmiths              | P             |
| Services to buildings and dwellings                   | 2450             | Provide pest control, janitorial services, landscaping, carpet cleaning, etc. (2451-2454)                                                                                   | P             |
| packing, crating                                      | 2455             |                                                                                                                                                                             | P             |
| Restaurants, cafeterias, snack bars & catering        | 2510-2530 & 2560 | Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.         | P             |
| Mobile food services                                  | 2550             | Prepare and serve meals and snacks for immediate consumption from motorized vehicles                                                                                        | P             |
| Food service contractor and vending machine operators | 2570 & 2580      | Provide food services at institutional, governmental, commercial, or industrial locations based on contracts. Retail merchandise through vending machines that they service | P             |
| Personal care                                         | 2610             | Hair, nail, and skin care and related personal care, barbers, beauty shops, dieting and weight loss, tanning, hair removal, hair weaving, ear piercing and similar services | P             |
| laundromat and dry cleaning                           | 2621 & 2622      | Includes Laundromats, dry cleaners, diaper services as well as other commercial laundry services                                                                            | P             |
| linen and uniform supply                              | 2623             |                                                                                                                                                                             | P             |
| Photofinishing                                        | 2630             | Primarily engaged in developing film or making slides, etc.                                                                                                                 | P             |

| Land Use                                          | LBCS #      | Description                                                                                                                                                                       | Approval Type |
|---------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Parking lot and parking garage                    | 2640        | See district standards                                                                                                                                                            | P             |
| licensed massage therapist                        | 2651        |                                                                                                                                                                                   | P             |
| tattoo parlor                                     | 2652        | Tattoos by a licensed professional                                                                                                                                                | P             |
| adult retail establishment                        | 2653        | Stores primarily selling adult oriented products, including books, videos, magazines, toys, lingerie and other sexually-oriented goods                                            | P             |
| Pet or pet supply store                           | 2710        | Retail pets, pet foods, pet supplies                                                                                                                                              | P             |
| animal services                                   | 2721        | grooming and training                                                                                                                                                             | P             |
| animal boarding                                   | 2722        | sitting and boarding                                                                                                                                                              | P             |
| pet cemetery                                      | 2723        |                                                                                                                                                                                   | P             |
| Food and beverages                                | 3110        | Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting                          | P             |
| Textiles, leather and leather substitute products | 3130 & 3140 | Textile mills, apparel manufacturers and canvas making; dying plants and dry cleaning plants; leather and leather substitutes such as rubber footwear (excluding leather tanning) | P             |
| Furniture and related products                    | 3230        | Includes manufacture and repair of furniture, upholstery, mattresses, window blinds, window shades, awnings cabinets, fixtures                                                    | P             |
| Signs                                             | 3440        | Manufacturing of signs to be erected or installed (excludes banner printing)                                                                                                      | P             |
| Blacksmith                                        |             | Creation of objects from wrought iron steel, such as gates, railings, furniture, and other functional and decorative items                                                        | P             |
| Wholesale Trade Establishment                     | 3500        | Normally operate from a warehouse or office,                                                                                                                                      | P             |

| Land Use                                                                           | LBCS #                    | Description                                                                                                                                                                                           | Approval Type |
|------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                    |                           | selling or arranging the purchase of goods to other businesses                                                                                                                                        |               |
| Office and warehousing                                                             | 3610                      | Storage of goods related to on-site office or retail use                                                                                                                                              | P             |
| Warehousing                                                                        | 3620                      | Storage of goods as the principal use; includes mini-warehouses, self-storage facilities and moving companies                                                                                         | P             |
| rail passenger transportation                                                      | 4121                      | Passenger stations only                                                                                                                                                                               | P             |
| local transit systems—bus, special needs, sightseeing, taxi and limousine services | 4133 - 4134 & 4136 - 4137 | Single-mode local and non-local transit systems other than rail; excludes transit stops, which are allowed in all districts. Includes sightseeing, taxi and limousine services                        | P             |
| towing and other road and ground services                                          | 4138                      | Tow vehicles                                                                                                                                                                                          | P             |
| Truck and freight transportation services                                          | 4140                      | Provide over-the-road transportation of cargo using motor vehicles and temporary storage                                                                                                              | C             |
| national post office                                                               | 4181                      |                                                                                                                                                                                                       | P             |
| retail courier and package delivery                                                | 4182                      | Retail courier, package drop-off and mail services                                                                                                                                                    | P             |
| Courier and messenger services                                                     | 4190                      | Provide air, surface, or combined courier delivery services of Parcels and messages (excludes retail package drop-off and local courier services)                                                     | P             |
| Publishing                                                                         | 4210 & 4221               | Issue copies of works for which they usually possess copyright, including printing plants, motion picture and audio publishing. Includes newspaper publishing, greeting card printing and lithography | P             |
| Motion pictures and sound                                                          | 4220                      | Produce and distribute motion pictures and                                                                                                                                                            | P             |

| Land Use                                                     | LBCS #                 | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Approval Type |
|--------------------------------------------------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| recording                                                    |                        | sound recordings                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |
| radio and television broadcasting                            | 4231, 4232 & 4241      | Operate broadcasting studios and facilities for over the air, cable or satellite delivery of radio and television programs                                                                                                                                                                                                                                                                                                                                                                                                                                               | P             |
| wireless telecommunications transmission                     | 4233                   | Operate, maintain or provide access to facilities for the transmission of voice, data, text, sound or video, see <a href="#">section 35.2-73</a> for telecommunications ordinance                                                                                                                                                                                                                                                                                                                                                                                        | C/P           |
| telephone and other wired telecommunications                 | 4234                   | Operate telephone networks - excludes switching stations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | P             |
| Telecommunications switching stations/exchanges              | 4239                   | Telecommunications switching stations and exchanges with no on-site employees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | C             |
| library or archive                                           | 4242                   | Provide library or archive services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | P             |
| news syndicate                                               | 4243                   | Supply information such as news reports, articles, pictures and features to the news media                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | P             |
| data processing and management, hosting and related services | 4244                   | Web hosting, computer data storage, optical scanning, computer input preparation, microfilm imaging                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | P             |
| Public Utilities Services, Major                             | 4315, 4329, 4339, 4349 | Includes transmission lines for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission of a regional nature and normally entail the construction of new buildings or structures such as electrical switching facilities and stations or substations, electric, gas, and other utility transmission lines of a regional nature which are not otherwise reviewed and approved by the Virginia State Corporation Commission. All overhead transmission lines are included in this definition. | C             |
| Public Utilities Service Minor                               | 4315,                  | Includes distribution or collection lines and                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | P             |

| Land Use                                                                           | LBCS #                  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Approval Type |
|------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                    | <b>4329, 4339, 4349</b> | appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures. |               |
| <b>electric substations</b>                                                        | <b>4316</b>             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | C             |
| <b>Water treatment plants and utility facilities</b>                               | <b>4331 - 4333,</b>     | Water treatment plants, pumping stations and lift stations                                                                                                                                                                                                                                                                                                                                                                                                                                   | C             |
| <b>recycling collection centers</b>                                                | <b>4349</b>             | Drop-off facilities for the collection of recycled goods                                                                                                                                                                                                                                                                                                                                                                                                                                     | P             |
| <b>Theater, dance or music establishment</b>                                       | <b>5110 &amp; 5160</b>  | Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers                                                                                                                                                                                                                                                                                                     | P             |
| <b>Motion picture viewing and exhibition services</b>                              | <b>5111</b>             | Operate movie theaters (excludes drive-ins), film festival exhibitions                                                                                                                                                                                                                                                                                                                                                                                                                       | P             |
| <b>Promoter of sports, performing arts, similar events and management services</b> | <b>5140 - 5150</b>      | Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers                                                                                                                                                                                                                                                                                                                                                                                | P             |
| <b>Indoor auditorium or arena</b>                                                  | <b>5170</b>             | Indoor auditoriums, arenas, conference centers, or multipurpose facilities                                                                                                                                                                                                                                                                                                                                                                                                                   | C             |
| <b>Outdoor auditorium/arenas</b>                                                   | <b>5180</b>             | Outdoor arenas, stadiums and theaters                                                                                                                                                                                                                                                                                                                                                                                                                                                        | C             |
| <b>Museums and Other Special Purpose Recreational Institutions</b>                 | <b>5200</b>             | Public and private museums, historical sites, and similar establishments                                                                                                                                                                                                                                                                                                                                                                                                                     | P             |

| Land Use                                   | LBCS #            | Description                                                                                                                                                                                             | Approval Type |
|--------------------------------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Amusement or theme park establishment      | 5310              | Operate a variety of attractions such as mechanical rides, water rides, games                                                                                                                           | C             |
| Commercial Amusements                      | 5320, 5380, 5390  | Operate arcades and other commercial amusements as defined herein                                                                                                                                       | P             |
| Country Club                               | 5340 & 6830       | Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings | P             |
| fitness and recreational sports center     | 5371              | Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building    | P             |
| outdoor recreation                         | 5372, 5373 & 5374 | Includes for profit golf courses, archery ranges, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding                                   | P             |
| shooting ranges, indoor                    | 5375              |                                                                                                                                                                                                         | C             |
| Camps, Camping, and Related Establishments | 5400              | Operate sites to accommodate campers and their equipment, provide overnight recreational camps, may provide cabins, food services, washrooms, spaces for overnight parking or recreational vehicles     | C             |
| Natural and other Recreational Parks       | 5500              | All parks without special economic functions, other than limited concessions                                                                                                                            | P             |
| Nursery or preschool                       | 6110              |                                                                                                                                                                                                         | P             |
| Grade school                               | 6120              | Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere. See district use standards.                 | P             |

| Land Use                                           | LBCS #                | Description                                                                                                                               | Approval Type |
|----------------------------------------------------|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| College or university                              | 6130                  | See district use standards.                                                                                                               | P             |
| general technical schools                          | 6141-6143, 6145, 6147 | Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities     | P             |
| driving education                                  | 6144                  |                                                                                                                                           | P             |
| Other Government Functions                         | 6300                  | Other government owned establishments not classified elsewhere such as defense and national guard establishments                          | P             |
| Public Safety                                      | 6400                  | Government-owned establishments providing fire and rescue, police, and emergency response services                                        | P             |
| clinic                                             | 6511 & 6567           | Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans' affairs services             | P             |
| outpatient care clinic                             | 6512                  | Provide outpatient family planning services and outpatient care                                                                           | P             |
| <u>abortion clinic</u>                             | <u>6512a</u>          | <u>Abortion clinics – as defined in Section 35.2-113</u><br><br><u>(see standards in Section 35.2-72.28)</u>                              | <u>C</u>      |
| medical or diagnostic laboratory; blood/organ bank | 6513 - 6514           | Provide analytic or diagnostic services including medical imaging                                                                         | P             |
| group home small                                   | 6522                  | Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities | P             |
| group home large                                   | 6523                  | Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities          | P             |

| Land Use                        | LBCS # | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Approval Type |
|---------------------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Hospital                        | 6530   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | P             |
| child and adult day care        | 6562   | Provide day care for children and adults                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |
| home                            | 6562a  | Day care for fewer than six (6) individuals in a residence                                                                                                                                                                                                                                                                                                                                                                                                                                     | P             |
| small                           |        | Day care for six (6) to twelve (12) individuals in a residence                                                                                                                                                                                                                                                                                                                                                                                                                                 | P             |
| large                           | 6562c  | Provide care for more than 12 individuals                                                                                                                                                                                                                                                                                                                                                                                                                                                      | P             |
| Religious Institutions          | 6600   | Churches, temples, synagogues, mosques, convents and monasteries                                                                                                                                                                                                                                                                                                                                                                                                                               | P             |
| Death Care Services             | 6700   | Funeral homes, crematories, cemeteries                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |
| Funeral home and services       | 6710   | Includes funeral homes combined with crematories                                                                                                                                                                                                                                                                                                                                                                                                                                               | P             |
| free-standing cemetery          | 6722   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | P             |
| columbarium                     | 6724   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | P             |
| Construction-Related Businesses | 7000   | Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may limit or preclude manufacturing, outdoor operations, outdoor storage of commercial vehicles and materials. | P             |
| Vegetable farming or growing    | 9120   | Includes private fields and community gardens with production limited to retail sales                                                                                                                                                                                                                                                                                                                                                                                                          | P             |
| Commercial orchards             | 9130   | Includes fruit and nut trees with production                                                                                                                                                                                                                                                                                                                                                                                                                                                   | P             |

| Land Use                                                                             | LBCS # | Description                                                                                                                                             | Approval Type |
|--------------------------------------------------------------------------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                      |        | limited to retail sales                                                                                                                                 |               |
| Greenhouse - no on-premises sales                                                    | 9141   | Commercial greenhouse production                                                                                                                        | P             |
| Greenhouse - sales of products grown on premises                                     | 9142   |                                                                                                                                                         | P             |
| Greenhouse - sales of products and related accessory products                        | 9143   |                                                                                                                                                         | P             |
| Animal Production                                                                    | 9300   | Keep, graze, breed or feed animals (see standards in <a href="#">section 35.2-71.7</a> )                                                                | P             |
| tent revival meetings/transient amusements                                           | 9921   | Includes temporary carnivals and circuses sponsored by non-profit organizations (see <a href="#">section 35.2-72.23</a> )                               | P             |
| temporary outdoor promotional attractions                                            | 9922   | Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see <a href="#">section 35.2-72.23</a> ) | P             |
| traditional neighborhood development                                                 | 9952   | See <a href="#">section 35.2-82</a>                                                                                                                     | C             |
| large scale retail establishments                                                    | 9954   | See <a href="#">section 35.2-84</a>                                                                                                                     | P             |
| cluster commercial development                                                       | 9955   | See <a href="#">section 35.2-85</a>                                                                                                                     | C             |
| flex space development                                                               | 9956   | See <a href="#">section 35.2-86</a>                                                                                                                     | C             |
| corporate campus                                                                     | 9957   | See <a href="#">section 35.2-87</a>                                                                                                                     | C             |
| Billboards - only existing billboards allowed per <a href="#">section 35.2-64.16</a> | 9990   | Billboards and other signs advertising goods and services not available on the site where the sign is located                                           | P             |

4. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-50.2 of Article IV of Chapter 35.2 as follows:

**Sec. 35.2-50.2. - Authorized uses.**

- (a) The uses authorized by Exhibit IV-23 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in VII as well as other applicable rules and regulations.
- (b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.
- (c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.
- (d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

**Exhibit IV-23: Authorized Uses in IN-2 District**

| Land Use                              | LBCS #       | Description                                                                                                                                                                                                             | Approval Type |
|---------------------------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>single-household detached</b>      | <b>1111S</b> | Typical single-household dwelling                                                                                                                                                                                       | P             |
| <b>modular home</b>                   | <b>1114S</b> | A prefabricated home without axles or frames (see definitions)                                                                                                                                                          | P             |
| <b>manufactured home</b>              | <b>1115S</b> | A structure, transportable in one (1) or more sections, built after 1978 on a permanent chassis, and designed for use with or without a permanent foundation when connected to the required utilities (see definitions) | C             |
| <b>manufactured home community</b>    | <b>1116S</b> | Includes manufactured home subdivision and manufactured home parks with 5 or more lots or sites (see definitions)                                                                                                       | C             |
| <b>Two-household (duplex)</b>         | <b>1121S</b> | A building located on one (1) zoning lot containing not more than two (2) dwelling units                                                                                                                                | P             |
| <b>single-household semi-detached</b> | <b>1122S</b> | One of two dwellings separated by a party wall,                                                                                                                                                                         | P             |

| Land Use                                       | LBCS #       | Description                                                                                                                                                                                                    | Approval Type |
|------------------------------------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                |              | on abutting lots                                                                                                                                                                                               |               |
| <b>single-household attached (townhouse)</b>   | <b>1140S</b> | Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered                                                                                                                        | P             |
| <b>Multi-household structures</b>              | <b>1200S</b> | Includes triplexes, four-plexes, and other multi-household dwellings                                                                                                                                           | P             |
| <b>Mixed-use residential structures</b>        | <b>1201S</b> | Typically commercial uses on lower floors and residential uses on upper floors                                                                                                                                 | P             |
| <b>Housing Services</b>                        | <b>1200</b>  | Housing and custodial services for those who cannot care for themselves. Includes nursing and retirement homes, congregate living, assisted and continuing care living, but excludes rehab uses in LBCS #6520) | P             |
| <b>Bed &amp; Breakfast and Tourist Homes</b>   | <b>1310</b>  | Guest rooms in a private home or accessory building to a private home                                                                                                                                          | P             |
| <b>boarding house</b>                          | <b>1321</b>  | Non-transient lodging that may include meals and is owner occupied                                                                                                                                             | P             |
| <b>rooming house</b>                           | <b>1322</b>  | Transient or non-transient lodging that may include meals                                                                                                                                                      | P             |
| <b>dormitory, sorority or fraternity house</b> | <b>1323</b>  | Allowed only as accessory uses to and owned by a college or university                                                                                                                                         | P             |
| <b>Hotel, motel, or tourist court</b>          | <b>1330</b>  | Hotels that do not have gambling services; includes extended-stay hotels                                                                                                                                       | P             |
| <b>Short Term Rental</b>                       | <b>1350</b>  | Provision of lodging for fewer than thirty (30)                                                                                                                                                                | P             |

| Land Use                                                                                                                                                          | LBCS #           | Description                                                                                                                                                                                                                                                                                                                                                 | Approval Type |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                                                                                                   |                  | consecutive days. (See <a href="#">Section 35.2-71.16</a> )                                                                                                                                                                                                                                                                                                 |               |
| <b>car, motorcycle, manufactured homes or RV dealer</b>                                                                                                           | <b>2111-2113</b> | New or used automobiles, light trucks, motorcycles, RV's, manufactured homes, and buses                                                                                                                                                                                                                                                                     | P             |
| <b>bicycles</b>                                                                                                                                                   | <b>2113b</b>     | New or used bicycle sales, rental and repair                                                                                                                                                                                                                                                                                                                | P             |
| <b>boat or marine craft dealer</b>                                                                                                                                | <b>2114</b>      | New or used boats sales, rental and related repair services                                                                                                                                                                                                                                                                                                 | P             |
| <b>parts, accessories, or tires</b>                                                                                                                               | <b>2115</b>      | Automotive parts and supply stores, automotive stereo stores.                                                                                                                                                                                                                                                                                               | P             |
| <b>gasoline service</b>                                                                                                                                           | <b>2116</b>      | Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair                                                                                                                                                                                                                                | P             |
| <b>light auto repair</b>                                                                                                                                          | <b>2117a</b>     | Oil change, light auto repair and car wash. May include gasoline and other retail sales                                                                                                                                                                                                                                                                     | P             |
| <b>heavy auto repair</b>                                                                                                                                          | <b>2117b</b>     | Auto repair, paint and body shops. May include gasoline and other retail sales.                                                                                                                                                                                                                                                                             | P             |
| <b>furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances</b> | <b>2121-2125</b> | Furniture, flooring, bedding stores; home building and repair supplies, painting supplies, farm goods, lighting supply, window treatment; nursery and garden products predominantly grown elsewhere, power equipment sales or services; large variety stores; household-type appliances, television, stereos, including repair shops and cell phone stores. | P             |

| Land Use                                                                                                                                                                                    | LBCS #           | Description                                                                                                                                                                                                                                                                                                           | Approval Type |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>lumber yard and building materials; heating and plumbing equipment; heavy equipment</b>                                                                                                  | <b>2126-2128</b> | Lumber yards and heavy building materials; heating and plumbing equipment retailers; for heating and plumbing contractors who install or service, use the appropriate construction category; construction equipment and vehicles; includes authorized storage (3650)                                                  | P             |
| <b>computer and software</b>                                                                                                                                                                | <b>2131</b>      | Computers and prepackaged software including repair, support, and training                                                                                                                                                                                                                                            | P             |
| <b>camera and photographic supplies; clothing, jewelry, luggage, shoes, clocks, sewing; sporting goods, toy and hobby, and musical instruments; mixed media, school and office supplies</b> | <b>2132-2135</b> | Primarily retail cameras and photographic supplies or retail with repair and film developing; clothing (including shoe repair and tailoring, sporting goods, toys, musical instruments, kitchen goods, books, magazines, music, videos, stationary, greeting cards, seasonal decorations, office and school supplies. | P             |
| <b>florist, art supplies, tobacco products</b>                                                                                                                                              | <b>2141-2143</b> | Florists, art supplies and art dealers, frame shops, tobacco products                                                                                                                                                                                                                                                 | P             |
| <b>art galleries</b>                                                                                                                                                                        | <b>2142b</b>     | Excludes art supply sales and retail framing services                                                                                                                                                                                                                                                                 | P             |
| <b>mail order or direct selling establishment</b>                                                                                                                                           | <b>2144</b>      | Retailing other than through locations where shoppers physically visit                                                                                                                                                                                                                                                | P             |
| <b>antique shop</b>                                                                                                                                                                         | <b>2145</b>      | Antique shops, (excludes flea markets, thrift stores and pawn shops)                                                                                                                                                                                                                                                  | P             |
| <b>flea markets and thrift stores</b>                                                                                                                                                       | <b>2145b</b>     | Flea markets, consignment shops and thrift stores                                                                                                                                                                                                                                                                     | P             |

| Land Use                                                                        | LBCS #    | Description                                                                                                                                                                                                                                                                                                               | Approval Type |
|---------------------------------------------------------------------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| grocery store, supermarket, or bakery, convenience store, specialty food stores | 2151-2154 | Included are grocery stores, convenience stores, meat, seafood and produce markets, coffee, confections, variety goods and general stores, and delicatessens. Excludes stores with fuel pumps (see 2116 for fuel sales).                                                                                                  | P             |
| beer, wine, and liquor store                                                    | 2155      |                                                                                                                                                                                                                                                                                                                           | P             |
| Health and personal care                                                        | 2160      | Retail prescription or nonprescription drugs; retail cosmetics, perfumes, toiletries; prescription or nonprescription eyeglasses; prescription or nonprescription health and convalescent aids; medical devices, retail food supplement products such as vitamins, nutrition supplements, and body enhancing supplements. | P             |
| Markets for farm produce or crafts                                              | 2199      | Markets and truck gardens.                                                                                                                                                                                                                                                                                                | P             |
| Bank, credit union, or savings institution                                      | 2210      | Central banking functions                                                                                                                                                                                                                                                                                                 | P             |
| credit card and other financing                                                 | 2221      | Credit card, sales financing, unsecured consumer lending, real estate credit, mortgages, international trade financing                                                                                                                                                                                                    | P             |
| pawn shops                                                                      | 2222      |                                                                                                                                                                                                                                                                                                                           | P             |
| short-term loans                                                                | 2223      | Pay-day lenders and other businesses providing loans with terms of 45 days or less                                                                                                                                                                                                                                        | P             |
| precious metal buyers                                                           | 2224      | Businesses providing cash for gold and other precious metals or gems (excludes retail                                                                                                                                                                                                                                     | P             |

| Land Use                                                                                                        | LBCS #                 | Description                                                                                                                                                                                                                                                                                                                                                                   | Approval Type |
|-----------------------------------------------------------------------------------------------------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                                                 |                        | jewelers)                                                                                                                                                                                                                                                                                                                                                                     |               |
| <b>Investment banking, securities, and brokerages; insurance; fund, trust, or other financial establishment</b> | <b>2230-2250</b>       | Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries                                                                                                                                                                                               | P             |
| <b>Real estate services</b>                                                                                     | <b>2310</b>            | Sell or lease real estate such as buildings, manufactured home sites and vacant lots; includes real estate appraisers and realtor offices                                                                                                                                                                                                                                     | P             |
| <b>Property management services</b>                                                                             | <b>2320</b>            | Manage real property for others                                                                                                                                                                                                                                                                                                                                               | P             |
| <b>vehicles</b>                                                                                                 | <b>2331 &amp; 2332</b> | Lease passenger cars, trucks, trailers, RVs, buses and aircraft; drivers not provided                                                                                                                                                                                                                                                                                         | P             |
| <b>recreational goods rental</b>                                                                                | <b>2333</b>            | Rent skis, canoes, bicycles, sailboats, motorcycles                                                                                                                                                                                                                                                                                                                           | P             |
| <b>commercial, industrial or consumer machinery and equipment rental</b>                                        | <b>2334 - 2335</b>     | Rent or lease:<br>a) office machinery and equipment; heavy equipment without operators used for construction, well-drilling; other machinery and equipment for uses such as manufacturing or telecommunications; operators not included (note: see 2337 for heavy equipment leasing)<br>b) personal and household-type goods and a range of equipment geared toward consumers | P             |
| <b>Professional offices</b>                                                                                     | <b>2411-2014</b>       | Title abstract, lawyers, notaries, accountants, bookkeeping, payroll services, architects, engineers, surveyors, graphic design, interior design and industrial design                                                                                                                                                                                                        | P             |

| Land Use                                                          | LBCS #           | Description                                                                                                                                                  | Approval Type |
|-------------------------------------------------------------------|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| consulting services (management, environmental technical)         | 2415             | Advise and assist businesses on management, scientific, and technological issues                                                                             | P             |
| scientific research and development services                      | 2416             | Conduct research or analyze in the physical, engineering, cognitive, or life sciences in laboratories or offices.                                            | P             |
| advertising, media and photography services                       | 2417             | Includes advertising, marketing and public relations agencies, photographic studios and photographic services.                                               | P             |
| veterinary services                                               | 2418             | Veterinary medicine, testing services for veterinary practitioners                                                                                           | P             |
| other professional offices                                        | 2419, 6810, 6820 | Includes advertising and media services intellectual property rights, franchising, labor, political or business organizations, and uses with similar impacts | P             |
| office administrative services                                    | 2421             | Office administration such as billing, record keeping, personnel, organizational planning                                                                    | P             |
| facilities support services                                       | 2422             | Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.                            | P             |
| employment agency                                                 | 2423a            | Provide employee placement, temporary help                                                                                                                   | P             |
| hiring hall                                                       | 2423b            | Place of assembly for the registration or assignment of employment                                                                                           | P             |
| copy center, private mail center, other business support services | 2424             | Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, internet access, small signs                           | P             |

| Land Use                                                     | LBCS #                      | Description                                                                                                                                                                 | Approval Type |
|--------------------------------------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                              |                             | and banners.                                                                                                                                                                |               |
| <b>collection agency</b>                                     | <b>2425</b>                 | Collect payments, compile credit information, repossess tangible assets                                                                                                     | P             |
| <b>Travel arrangement and reservation services</b>           | <b>2430</b>                 | Promote or sell travel, includes convention and visitors' bureaus                                                                                                           | P             |
| <b>Investigation and security services</b>                   | <b>2440</b>                 | Provide detective, guard and patrol services, picking up and delivery of money, selling of security systems, remote monitoring of security systems, locksmiths              | P             |
| <b>Services to buildings and dwellings</b>                   | <b>2450</b>                 | Provide pest control, janitorial services, landscaping, carpet cleaning, etc. (2451-2454)                                                                                   | P             |
| <b>packing, crating</b>                                      | <b>2455</b>                 |                                                                                                                                                                             | P             |
| <b>Restaurants, cafeterias, snack bars &amp; catering</b>    | <b>2510-2530 &amp; 2560</b> | Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.         | P             |
| <b>Mobile food services</b>                                  | <b>2550</b>                 | Prepare and serve meals and snacks for immediate consumption from motorized vehicles                                                                                        | P             |
| <b>Food service contractor and vending machine operators</b> | <b>2570 &amp; 2580</b>      | Provide food services at institutional, governmental, commercial, or industrial locations based on contracts. Retail merchandise through vending machines that they service | P             |

| Land Use                          | LBCS #      | Description                                                                                                                                                                 | Approval Type |
|-----------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Personal care                     | 2610        | Hair, nail, and skin care and related personal care, barbers, beauty shops, dieting and weight loss, tanning, hair removal, hair weaving, ear piercing and similar services | P             |
| laundromat and dry cleaning       | 2621 & 2622 | Includes Laundromats, dry cleaners, diaper services as well as other commercial laundry services                                                                            | P             |
| linen and uniform supply          | 2623        |                                                                                                                                                                             | P             |
| Photofinishing                    | 2630        | Primarily engaged in developing film or making slides, etc.                                                                                                                 | P             |
| Parking lot and parking garage    | 2640        | See district standards                                                                                                                                                      | P             |
| licensed massage therapist        | 2651        |                                                                                                                                                                             | P             |
| tattoo parlor                     | 2652        | Tattoos by a licensed professional                                                                                                                                          | P             |
| adult establishment, retail sales | 2653        | Stores primarily selling adult oriented products, including books, videos, magazines, toys, lingerie and other sexually-oriented goods                                      | P             |
| Pet or pet supply store           | 2710        | Retail pets, pet foods, pet supplies                                                                                                                                        | P             |
| animal services                   | 2721        | grooming and training                                                                                                                                                       | P             |
| animal boarding                   | 2722        | sitting and boarding                                                                                                                                                        | P             |
| pet cemetery                      | 2723        |                                                                                                                                                                             | P             |

| Land Use                                          | LBCS #      | Description                                                                                                                                                                       | Approval Type |
|---------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Food and beverages                                | 3110        | Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting                          | P             |
| Textiles, leather and leather substitute products | 3130 & 3140 | Textile mills, apparel manufacturers and canvas making; dying plants and dry cleaning plants; leather and leather substitutes such as rubber footwear (excluding leather tanning) | P             |
| Furniture and related products                    | 3230        | Includes manufacture and repair of furniture, upholstery, mattresses, window blinds, window shades, awnings cabinets, fixtures                                                    | P             |
| Signs                                             | 3440        | Manufacturing of signs to be erected or installed (excludes banner printing)                                                                                                      | P             |
| Blacksmith                                        |             | Creation of objects from wrought iron steel, such as gates, railings, furniture, and other functional and decorative items                                                        | P             |
| Wholesale Trade Establishment                     | 3500        | Normally operate from a warehouse or office, selling or arranging the purchase of goods to other businesses                                                                       | P             |
| Warehousing and Storage Services                  | 3600        | Operate warehouse and storage facilities for general merchandise, refrigerated goods                                                                                              |               |
| Office and warehousing                            | 3610        | Storage of goods related to on-site office or retail use                                                                                                                          | P             |
| Warehousing                                       | 3620        | Storage of goods as the principal use; includes mini-warehouses, self-storage facilities and moving companies                                                                     | P             |

| <b>Land Use</b>                                                                           | <b>LBCS #</b>                        | <b>Description</b>                                                                                                                                                                                    | <b>Approval Type</b> |
|-------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>rail passenger transportation</b>                                                      | <b>4121</b>                          | Passenger stations only                                                                                                                                                                               | P                    |
| <b>local transit systems—bus, special needs, sightseeing, taxi and limousine services</b> | <b>4133 - 4134 &amp; 4136 - 4137</b> | Single-mode local and non-local transit systems other than rail; excludes transit stops, which are allowed in all districts. Includes sightseeing, taxi and limousine services                        | P                    |
| <b>school and employee bus transportation</b>                                             | <b>4135</b>                          | Maintain and dispatch buses and other motor vehicles to transport pupils or employees                                                                                                                 | P                    |
| <b>towing and other road and ground services</b>                                          | <b>4138</b>                          | Tow vehicles                                                                                                                                                                                          | P                    |
| <b>Truck and freight transportation services</b>                                          | <b>4140</b>                          | Provide over-the-road transportation of cargo using motor vehicles and temporary storage                                                                                                              | C                    |
| <b>national post office</b>                                                               | <b>4181</b>                          |                                                                                                                                                                                                       | P                    |
| <b>retail courier and package delivery</b>                                                | <b>4182</b>                          | Retail courier, package drop-off and mail services                                                                                                                                                    | P                    |
| <b>Courier and messenger services</b>                                                     | <b>4190</b>                          | Provide air, surface, or combined courier delivery services of Parcels and messages (excludes retail package drop-off and local courier services)                                                     | P                    |
| <b>Publishing</b>                                                                         | <b>4210 &amp; 4221</b>               | Issue copies of works for which they usually possess copyright, including printing plants, motion picture and audio publishing. Includes newspaper publishing, greeting card printing and lithography | P                    |
| <b>Motion pictures and sound</b>                                                          | <b>4220</b>                          | Produce and distribute motion pictures and                                                                                                                                                            | P                    |

| Land Use                                                     | LBCS #                 | Description                                                                                                                                                                                                                                                                                                                        | Approval Type |
|--------------------------------------------------------------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| recording                                                    |                        | sound recordings                                                                                                                                                                                                                                                                                                                   |               |
| radio and television broadcasting                            | 4231, 4232 & 4241      | Operate broadcasting studios and facilities for over the air, cable or satellite delivery of radio and television programs                                                                                                                                                                                                         | P             |
| wireless telecommunications transmission                     | 4233                   | Operate, maintain or provide access to facilities for the transmission of voice, data, text, sound or video, see <a href="#">section 35.2-73</a> for telecommunications ordinance                                                                                                                                                  | C/P           |
| telephone and other wired telecommunications                 | 4234                   | Operate telephone networks - excludes switching stations                                                                                                                                                                                                                                                                           | P             |
| Telecommunications switching stations/exchanges              | 4239                   | Telecommunications switching stations and exchanges with no on-site employees                                                                                                                                                                                                                                                      | C             |
| library or archive                                           | 4242                   | Provide library or archive services                                                                                                                                                                                                                                                                                                | P             |
| news syndicate                                               | 4243                   | Supply information such as news reports, articles, pictures and features to the news media                                                                                                                                                                                                                                         | P             |
| data processing and management, hosting and related services | 4244                   | Web hosting, computer data storage, optical scanning, computer input preparation, microfilm imaging                                                                                                                                                                                                                                | P             |
| Public Utilities Services, Major                             | 4315, 4329, 4339, 4349 | Includes transmission lines for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission of a regional nature and normally entail the construction of new buildings or structures such as electrical switching facilities and stations or substations, | C             |

| Land Use                                             | LBCS #                        | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Approval Type |
|------------------------------------------------------|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                      |                               | electric, gas, and other utility transmission lines of a regional nature which are not otherwise reviewed and approved by the Virginia State Corporation Commission. All overhead transmission lines are included in this definition.                                                                                                                                                                                                                                                                                                      |               |
| <b>Public Utilities Service Minor</b>                | <b>4315, 4329, 4339, 4349</b> | Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures. | P             |
| <b>power generation</b>                              | <b>4315</b>                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | C             |
| <b>electric substations</b>                          | <b>4316</b>                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | P             |
| <b>Water treatment plants and utility facilities</b> | <b>4331 - 4333,</b>           | Water treatment plants, pumping stations and lift stations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | P             |
| <b>recycling collection centers</b>                  | <b>4349</b>                   | Drop-off facilities for the collection of recycled goods                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | P             |
| <b>Theater, dance or music establishment</b>         | <b>5110 &amp; 5160</b>        | Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers                                                                                                                                                                                                                                                                                                                                                   | P             |

| Land Use                                                                           | LBCS #                  | Description                                                                                                                                                                                             | Approval Type |
|------------------------------------------------------------------------------------|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>Motion picture viewing and exhibition services</b>                              | <b>5111</b>             | Operate movie theaters, drive-ins, film festival exhibitions (Note: drive-in theaters limited to B-5 district)                                                                                          | P             |
| <b>Promoter of sports, performing arts, similar events and management services</b> | <b>5140 - 5150</b>      | Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers                                                                                           | P             |
| <b>Indoor auditorium or arena</b>                                                  | <b>5170</b>             | Indoor auditoriums, arenas, conference centers, or multipurpose facilities                                                                                                                              | C             |
| <b>Outdoor auditorium/arenas</b>                                                   | <b>5180</b>             | Outdoor arenas, stadiums and theaters                                                                                                                                                                   | C             |
| <b>Museums and Other Special Purpose Recreational Institutions</b>                 | <b>5200</b>             | Public and private museums, historical sites, and similar establishments                                                                                                                                | P             |
| <b>Amusement or theme park establishment</b>                                       | <b>5310</b>             | Operate a variety of attractions such as mechanical rides, water rides, games                                                                                                                           | C             |
| <b>Commercial Amusements</b>                                                       | <b>5320, 5380, 5390</b> | Operate arcades and other commercial amusements as defined herein                                                                                                                                       | P             |
| <b>Country Club</b>                                                                | <b>5340 &amp; 6830</b>  | Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings | P             |
| <b>fitness and recreational sports center</b>                                      | <b>5371</b>             | Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building    | P             |

| Land Use                                   | LBCS #                | Description                                                                                                                                                                                         | Approval Type |
|--------------------------------------------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| outdoor recreation                         | 5372, 5373 & 5374     | Includes for profit golf courses, archery ranges, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding                               | P             |
| shooting ranges, indoor                    | 5375                  |                                                                                                                                                                                                     | C             |
| Camps, Camping, and Related Establishments | 5400                  | Operate sites to accommodate campers and their equipment, provide overnight recreational camps, may provide cabins, food services, washrooms, spaces for overnight parking or recreational vehicles | C             |
| Natural and other Recreational Parks       | 5500                  | All parks without special economic functions, other than limited concessions                                                                                                                        | P             |
| Nursery or preschool                       | 6110                  |                                                                                                                                                                                                     | P             |
| Grade school                               | 6120                  | Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere                                          | P             |
| College or university                      | 6130                  |                                                                                                                                                                                                     | P             |
| general technical schools                  | 6141-6143, 6145, 6147 | Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities                                                               | P             |
| driving education                          | 6144                  |                                                                                                                                                                                                     | P             |
| flight training                            | 6146                  | Offer aviation and flight training                                                                                                                                                                  | P             |

| Land Use                                           | LBCS #       | Description                                                                                                                               | Approval Type |
|----------------------------------------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Other Government Functions                         | 6300         | Other government owned establishments not classified elsewhere such as defense and national guard establishments                          | P             |
| Public Safety                                      | 6400         | Government-owned establishments providing fire and rescue, police, and emergency response services                                        | P             |
| clinic                                             | 6511 & 6567  | Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans affairs services              | P             |
| outpatient care clinic                             | 6512         | Provide outpatient family planning services and outpatient care                                                                           | P             |
| <u>abortion clinic</u>                             | <u>6512a</u> | <u>Abortion clinics – as defined in Section 35.2-113</u><br><u>(see standards in Section 35.2-72.28)</u>                                  | <u>C</u>      |
| medical or diagnostic laboratory; blood/organ bank | 6513 - 6514  | Provide analytic or diagnostic services including medical imaging                                                                         | P             |
| group home small                                   | 6522         | Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities | P             |
| group home large                                   | 6523         | Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities          | P             |
| Hospital                                           | 6530         |                                                                                                                                           | P             |
| child and youth services                           | 6561         | Offer services such as adoption, foster care,                                                                                             | P             |

| Land Use                              | LBCS #      | Description                                                                                                                                                                                                                                                           | Approval Type |
|---------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                       |             | drug prevention services                                                                                                                                                                                                                                              |               |
| child and adult day care              | 6562        | Provide day care for children and adults                                                                                                                                                                                                                              |               |
| home                                  | 6562a       | Day care for fewer than six (6) individuals in a residence                                                                                                                                                                                                            | P             |
| small                                 | 6562b       | Day care for six (6) to twelve (12) individuals in a residence                                                                                                                                                                                                        | P             |
| large                                 | 6562c       | Provide care for more than 12 individuals                                                                                                                                                                                                                             | P             |
| care services community food services | 6563 - 6566 | Includes community food services, emergency and relief services, services for the elderly and disabled other family services; does not on-site provision of housing                                                                                                   | P             |
| Religious Institutions                | 6600        | Churches, temples, synagogues, mosques, convents and monasteries                                                                                                                                                                                                      | P             |
| Funeral home and services             | 6710        | Includes funeral homes combined with crematories                                                                                                                                                                                                                      | P             |
| free-standing cemetery                | 6722        |                                                                                                                                                                                                                                                                       | P             |
| columbarium                           | 6724        |                                                                                                                                                                                                                                                                       | P             |
| Construction-Related Businesses       | 7000        | Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, | P             |

| Land Use                                                             | LBCS #      | Description                                                                                                                                                                                                              | Approval Type |
|----------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                      |             | manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may limit or preclude manufacturing, outdoor operations, outdoor storage of commercial vehicles and materials. |               |
| <b>Vegetable farming or growing</b>                                  | <b>9120</b> | Includes private fields and community gardens                                                                                                                                                                            | P             |
| <b>Commercial orchards</b>                                           | <b>9130</b> | Includes fruit and nut trees for commercial production                                                                                                                                                                   | P             |
| <b>Greenhouse - no on-premises sales</b>                             | <b>9141</b> | Commercial greenhouse production                                                                                                                                                                                         | P             |
| <b>Greenhouse - sales of products grown on premises</b>              | <b>9142</b> |                                                                                                                                                                                                                          | P             |
| <b>Greenhouse - sales of products and related accessory products</b> | <b>9143</b> |                                                                                                                                                                                                                          | P             |
| <b>Animal Production</b>                                             | <b>9300</b> | Keep, graze, breed or feed animals (see standards in <a href="#">section 35.2-71.7</a> )                                                                                                                                 | P             |
| <b>tent revival meetings/transient amusements</b>                    | <b>9921</b> | Includes temporary carnivals and circuses sponsored by non-profit organizations (see <a href="#">section 35.2-72.23</a> )                                                                                                | P             |
| <b>temporary outdoor promotional attractions</b>                     | <b>9922</b> | Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see <a href="#">section 35.2-72.23</a> )                                                                  | P             |
| <b>traditional neighborhood</b>                                      | <b>9952</b> | See <a href="#">section 35.2-82</a>                                                                                                                                                                                      | C             |

| Land Use                          | LBCS # | Description                                                                                                   | Approval Type |
|-----------------------------------|--------|---------------------------------------------------------------------------------------------------------------|---------------|
| development                       |        |                                                                                                               |               |
| large scale retail establishments | 9954   | See <a href="#">section 35.2-84</a>                                                                           | P             |
| cluster commercial development    | 9955   | See <a href="#">section 35.2-85</a>                                                                           | C             |
| flex space development            | 9956   | See <a href="#">section 35.2-86</a>                                                                           | C             |
| corporate campus                  | 9957   | See <a href="#">section 35.2-87</a>                                                                           | C             |
| Billboards                        | 9990   | Billboards and other signs advertising goods and services not available on the site where the sign is located | P             |

(Remainder of Page Intentionally Left Blank)

5. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by creating a new Section 35.2-72.28 of Article VII of Chapter 35.2 as follows:

**Section 35.2-72.28. - Abortion Clinics**

**Abortion clinics (see LBCS code 6512a), whether principle use or accessory to another use, shall meet the following standards:**

**(a) Districts Where Allowed**

- 1. Abortion clinics may be approved by conditional use permit (CUP) in a B-3, Community Business District, B-5, General Business District, or an Institutional District 2 (IN-2).**

**(b) Location Criteria**

- 1. No abortion clinic shall be established within one thousand (1000) feet of the following zoned districts:**
  - a. Conservation District (R-C)**
  - b. Low Density Residential District (R-1)**
  - c. Low - Medium Density Residential District (R-2)**
  - d. Medium Density Residential District (R-3)**
  - e. High Density Residential District (R-4)**
  - f. Fifth Street Revitalization Corridor Overlay District (FSC)**
  - g. Historic Districts**
- 2. No abortion clinic shall be established within one thousand (1000) feet of the James River Arts and Cultural District as established by City Code Chapter 13.1 Arts and Cultural District.**
- 3. No abortion clinic shall be established within one thousand (1000) feet of any church or other place of worship, public library, public or private pre-kindergarten, elementary, middle or high school, public park, children's museum, child day care center, motel or hotel.**
- 4. The establishment of any abortion clinic as referred to herein shall include the opening of such establishment as a new establishment, the relocation of such establishment, the enlargement of such establishment in either scope or area, or the conversion, in whole or in part, of an existing establishment to an abortion clinic.**

(Remainder of Page Intentionally Left Blank)

6. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Appendix A – Table of Authorized Land Uses of Article XI of Chapter 35.2 as follows:

**APPENDIX A: - TABLE OF AUTHORIZED LAND USES**

Green highlight indicates use was allowed in one of two consolidated districts. Blue highlight indicates a new use in a district.

| Land Use                                    | LBCS #       | Description                                                                                                                                                                                                             | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|---------------------------------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| <b>RESIDENCE OR ACCOMMODATION FUNCTIONS</b> | <b>1000</b>  | Homes, apartments, housing for the elderly, and hotels                                                                                                                                                                  |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Detached Units</b>                       | <b>1110S</b> |                                                                                                                                                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>single-household detached</b>            | <b>1111S</b> | Typical single-household dwelling                                                                                                                                                                                       | P  | P   | P   | P   | P   | P   | P   |     | C   |      | P    |     |     |     |
| <b>modular home</b>                         | <b>1114S</b> | A prefabricated home without axles or frames (see definitions)                                                                                                                                                          | P  | P   | P   | P   | P   | P   | P   |     | C   |      | P    |     |     |     |
| <b>manufactured home</b>                    | <b>1115S</b> | A structure, transportable in one (1) or more sections, built after 1978 on a permanent chassis, and designed for use with or without a permanent foundation when connected to the required utilities (see definitions) | C  |     |     |     |     |     |     |     | C   |      | C    |     |     |     |
| <b>manufactured home community</b>          | <b>1116S</b> | Includes manufactured home subdivision and manufactured home parks with 5 or more lots or sites (see definitions)                                                                                                       |    | C   | C   | C   | C   |     |     |     |     |      | C    |     |     |     |
| <b>Attached Units</b>                       | <b>1120S</b> |                                                                                                                                                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                                    | LBCS # | Description                                                                                                                                                                                                    | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------------------------------------------------------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Two-household (duplex)                                                      | 1121S  | A building located on one (1) zoning lot containing not more than two (2) dwelling units                                                                                                                       |    |     |     | P   | P   | C   | C   |     | C   |      | P    |     |     |     |
| single-household semi-detached                                              | 1122S  | One of two dwellings separated by a party wall, on abutting lots                                                                                                                                               |    |     |     | P   | P   |     |     |     | C   |      | P    |     |     |     |
| single-household attached (townhouse)                                       | 1140S  | Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered                                                                                                                        |    |     |     | C   | P   | C   | C   | P   | C   |      | P    |     |     |     |
| Multi-household structures (see district regulations for limitations)       | 1200S  | Includes triplexes, four-plexes, and other multi-household dwellings                                                                                                                                           |    |     |     |     | P   | C   | C   | P   | C   |      | P    |     |     |     |
| Mixed-use residential structures (see district regulations for limitations) | 1201S  | Typically commercial uses on lower floors and residential uses on upper floors                                                                                                                                 |    |     |     |     | P   | C   | P   | P   | P   |      | P    |     |     |     |
| Housing Services                                                            | 1200   | Housing and custodial services for those who cannot care for themselves. Includes nursing and retirement homes, congregate living, assisted and continuing care living, but excludes rehab uses in LBCS #6520) |    | C   | C   | C   | C   | P   | P   | P   | P   | P    | P    |     |     |     |
| Hotels, Motels, or Other Accommodation Services                             | 1300   | Lodging and short-term accommodation for travelers                                                                                                                                                             |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Bed and Breakfast and Tourist Homes                                         | 1310   | Guest rooms in a private home or accessory building to a private home                                                                                                                                          | C  | C   | C   | C   | C   | P   | P   | P   | P   |      | P    |     |     |     |

| Land Use                                | LBCS # | Description                                                                                                                                                                                                                                            | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------------------------------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Rooming and boarding                    | 1320   | Dormitory, fraternity or sorority house or other specific group of members                                                                                                                                                                             |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| boarding house                          | 1321   | Transient or non-transient lodging that may include meals and is owner occupied                                                                                                                                                                        |    | C   | C   | C   | C   | P   | P   | P   | P   |      | P    |     |     |     |
| rooming house                           | 1322   | Transient or non-transient lodging that may include meals                                                                                                                                                                                              |    |     |     | C   | C   | P   | P   | P   | P   |      | P    |     |     |     |
| dormitory, sorority or fraternity house | 1323   | Allowed only as accessory uses to and owned by a college or university                                                                                                                                                                                 |    | C   | C   | C   | C   | C   | C   | C   | C   | P    | P    |     |     |     |
| Hotel, motel, or tourist court          | 1330   | Hotels that do not have gambling services; includes extended-stay hotels                                                                                                                                                                               |    |     |     |     |     |     | P   | P   | P   |      | P    | C   |     |     |
| Other traveler accommodations           | 1350   | Youth hostels and similar short-term lodging                                                                                                                                                                                                           | P  | P   | P   | P   | P   | P   | P   | P   | P   |      | P    |     |     |     |
| GENERAL SALES OR SERVICES               | 2000   | Comprises the vast majority of establishments associated with commercial land use                                                                                                                                                                      |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Retail Sales or Service and Repair      | 2100   | Establishments with displays of merchandise sold to the general public and other businesses, or after-sales services such as repair. Auctions are allowed where sales of items to be auctioned are allowed pursuant to applicable district regulations |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Automobile sales or service             | 2110   | Motor vehicle and parts dealers including                                                                                                                                                                                                              |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                | LBCS #           | Description                                                                                                                   | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|---------------------------------------------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| <b>establishment</b>                                    |                  | repair and maintenance                                                                                                        |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>car, motorcycle, manufactured homes or RV dealer</b> | <b>2111-2113</b> | New or used automobiles, light trucks, motorcycles, RV's, manufactured homes, and buses                                       |    |     |     |     |     |     |     |     | P   |      | P    |     |     |     |
| <b>bicycles</b>                                         | <b>2113b</b>     | New or used bicycle sales, rental and repair                                                                                  |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| <b>boat or marine craft dealer</b>                      | <b>2114</b>      | New or used boats sales, rental and related repair services                                                                   |    |     |     |     |     |     |     | P   | P   |      | P    |     |     |     |
| <b>parts, accessories, or tires</b>                     | <b>2115</b>      | Automotive parts and supply stores, automotive stereo stores.                                                                 |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>gasoline service</b>                                 | <b>2116</b>      | Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair, and heavy auto repair |    |     |     |     |     |     | P   | C   | P   |      | P    |     |     | C   |
| <b>automotive repair and maintenance</b>                | <b>2117</b>      | Repair garages, body and paint shops, oil change, car wash                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>light auto repair (automobile service station)</b>   | <b>2117a</b>     | Oil change, light auto repair and car wash. May include gasoline and other retail sales.                                      |    |     |     |     |     |     | C   | C   | P   |      | P    |     | P   | P   |
| <b>heavy auto repair</b>                                | <b>2117b</b>     | Auto repair, paint and body shops. May include gasoline and other retail sales.                                               |    |     |     |     |     |     |     | C   | P   |      | P    |     | P   | P   |
| <b>truck stop</b>                                       | <b>2118</b>      | Retailing fuels primarily to trucks or in                                                                                     |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                                                                                                                          | LBCS #           | Description                                                                                                                                                                                                                                                                                                                                                 | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                                                                                                                                                   |                  | combination with activities such as providing repair or food services                                                                                                                                                                                                                                                                                       |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Heavy consumer goods sales or service</b>                                                                                                                      | <b>2120</b>      | Heavy or durable goods sales or services                                                                                                                                                                                                                                                                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances</b> | <b>2121-2125</b> | Furniture, flooring, bedding stores; home building and repair supplies, painting supplies, farm goods, lighting supply, window treatment; nursery and garden products predominantly grown elsewhere, power equipment sales or services; large variety stores; household-type appliances, television, stereos, including repair shops and cell phone stores. |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>lumber yard and building materials; heating and plumbing equipment; heavy equipment</b>                                                                        | <b>2126-2128</b> | Lumber yards and heavy building materials; heating and plumbing equipment retailers; for heating and plumbing contractors who install or service, use the appropriate construction category; construction equipment and vehicles; includes authorized storage (3650)                                                                                        |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| <b>Durable consumer goods sales and service</b>                                                                                                                   | <b>2130</b>      | Wide range of product lines such as apparel, appliances, hardware, jewelry, etc.                                                                                                                                                                                                                                                                            |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>computer and software</b>                                                                                                                                      | <b>2131</b>      | Computers and prepackaged software including repair, support, and training                                                                                                                                                                                                                                                                                  |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>camera and photographic</b>                                                                                                                                    | <b>2132-</b>     | Primarily retail cameras and photographic                                                                                                                                                                                                                                                                                                                   |    |     |     |     |     | P   | P   | P   | P   | P    | P    |     |     |     |

| Land Use                                                                                                                                                     | LBCS #    | Description                                                                                                                                                                                                                                                                 | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| supplies; clothing, jewelry, luggage, shoes, clocks, sewing; sporting goods, toy and hobby, and musical instruments; mixed media, school and office supplies | 2135      | supplies or retail with repair and film developing; clothing (including shoe repair and tailoring, sporting goods, toys, musical instruments, kitchen goods, books, magazines, music, videos, stationary, greeting cards, seasonal decorations, office and school supplies. |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Consumer goods, other                                                                                                                                        | 2140      | Establishments that retail merchandise (except groceries or health items) not included in preceding codes                                                                                                                                                                   |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| florist, art supplies, tobacco products                                                                                                                      | 2141-2143 | Florists, art supplies and art dealers, frame shops, tobacco products                                                                                                                                                                                                       |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| art galleries                                                                                                                                                | 2142b     | Excludes art supply sales and retail framing services                                                                                                                                                                                                                       |    | C   | C   | P   | P   | P   | P   | P   | P   |      | P    |     |     |     |
| mail order or direct selling establishment                                                                                                                   | 2144      | Retailing other than through locations where shoppers physically visit                                                                                                                                                                                                      |    |     |     |     |     |     |     | P   | P   |      | P    |     | P   | P   |
| antique shop                                                                                                                                                 | 2145      | Antique shops, (excludes flea markets, thrift stores and pawn shops)                                                                                                                                                                                                        |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| flea markets and thrift stores                                                                                                                               | 2145b     | Flea markets, consignment shops and thrift stores                                                                                                                                                                                                                           |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| Grocery, food, beverage, dairy                                                                                                                               | 2150      | Retail food and beverage merchandise from fixed point-of-sale locations                                                                                                                                                                                                     |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                                        | LBCS #    | Description                                                                                                                                                                                                                                                                                                              | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|---------------------------------------------------------------------------------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| grocery store, supermarket, or bakery, convenience store, specialty food stores | 2151-2154 | Included are grocery stores, convenience stores, meat, seafood and produce markets, coffee, confections, variety goods and general stores, and delicatessens. Excludes stores with fuel pumps (see 2116 for fuel sales)                                                                                                  |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| beer, wine, and liquor store                                                    | 2155      |                                                                                                                                                                                                                                                                                                                          |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Health and personal care                                                        | 2160      | Retail prescription or nonprescription drugs; retail cosmetics, perfumes, toiletries; prescription or nonprescription eyeglasses; prescription or nonprescription health and convalescent aids; medical devices, retail food supplement products such as vitamins, nutrition supplements, and body enhancing supplements |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Markets for farm produce or crafts                                              | 2199      | Markets and truck gardens. Note that limited to goods produced on site in the RC district.                                                                                                                                                                                                                               | P  |     |     |     |     |     | C   | C   | P   |      | P    |     |     |     |
| Finance and Insurance                                                           | 2200      |                                                                                                                                                                                                                                                                                                                          |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Bank, credit union, or savings institution                                      | 2210      | Central banking functions                                                                                                                                                                                                                                                                                                |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Credit and finance businesses                                                   | 2220      |                                                                                                                                                                                                                                                                                                                          |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| credit card and other financing                                                 | 2221      | Credit card, sales financing, unsecured consumer lending, real estate credit,                                                                                                                                                                                                                                            |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |

| Land Use                                                                                                        | LBCS #           | Description                                                                                                                                                                     | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------------------------------------------------------------------------------------------------------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                                                                                                 |                  | mortgages, international trade financing                                                                                                                                        |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>pawn shops</b>                                                                                               | <b>2222</b>      |                                                                                                                                                                                 |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>short-term loans</b>                                                                                         | <b>2223</b>      | Pay-day lenders and other businesses providing loans with terms of 45 days or less                                                                                              |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>precious metal buyers</b>                                                                                    | <b>2224</b>      | Businesses providing cash for gold and other precious metals or gems (excludes retail jewelers)                                                                                 |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>Investment banking, securities, and brokerages; insurance; fund, trust, or other financial establishment</b> | <b>2230-2250</b> | Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| <b>Real Estate, Rental and Leasing</b>                                                                          | <b>2300</b>      | Rent, lease or occasionally sell assets                                                                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Real estate services</b>                                                                                     | <b>2310</b>      | Sell or lease real estate such as buildings, manufactured home sites and vacant lots; includes real estate appraisers and realtor offices                                       |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| <b>Property management services</b>                                                                             | <b>2320</b>      | Manage real property for others                                                                                                                                                 |    |     |     |     |     |     |     |     | P   |      | P    |     |     |     |
| <b>Rental and leasing</b>                                                                                       | <b>2330</b>      | Rent tangible goods such as consumer goods and mechanical equipment to customers;                                                                                               |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                                 | LBCS #                 | Description                                                                                                                                                                                                                                                                                                                                                                   | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|--------------------------------------------------------------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                                                          |                        | excludes establishment primarily renting equipment with operators                                                                                                                                                                                                                                                                                                             |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>vehicles</b>                                                          | <b>2331 &amp; 2332</b> | Lease passenger cars, trucks, trailers, RVs, buses and aircraft; drivers not provided                                                                                                                                                                                                                                                                                         |    |     |     |     |     |     | C   |     | P   |      | P    |     |     |     |
| <b>recreational goods rental</b>                                         | <b>2333</b>            | Rent skis, canoes, bicycles, sailboats, motorcycles                                                                                                                                                                                                                                                                                                                           |    |     |     |     |     |     |     | P   | P   |      | P    |     |     |     |
| <b>commercial, industrial or consumer machinery and equipment rental</b> | <b>2334 - 2335</b>     | Rent or lease:<br>a) office machinery and equipment; heavy equipment without operators used for construction, well-drilling; other machinery and equipment for uses such as manufacturing or telecommunications; operators not included (note: see 2337 for heavy equipment leasing)<br>b) personal and household-type goods and a range of equipment geared toward consumers |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| <b>heavy equipment rental</b>                                            | <b>2337</b>            | Includes construction vehicles with gross weights exceeding 26,000 pounds and agricultural vehicles                                                                                                                                                                                                                                                                           |    |     |     |     |     |     |     |     |     |      |      |     | P   | P   |
| <b>Business, Professional, Scientific, and Technical</b>                 | <b>2400</b>            | Perform professional, scientific, and technical services                                                                                                                                                                                                                                                                                                                      |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Professional services</b>                                             | <b>2410</b>            | Services provided depend on worker skills and knowledge rather than equipment                                                                                                                                                                                                                                                                                                 |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                  | LBCS #           | Description                                                                                                                                                            | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------------------------------------------------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Professional offices                                      | 2411-2414        | Title abstract, lawyers, notaries, accountants, bookkeeping, payroll services, architects, engineers, surveyors, graphic design, interior design and industrial design |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| consulting services (management, environmental technical) | 2415             | Advise and assist businesses on management, scientific, and technological issues                                                                                       |    |     |     |     |     | P   | P   | P   | P   |      | P    | P   |     |     |
| scientific research and development services              | 2416             | Conduct research or analyze in the physical, engineering, cognitive, or life sciences in laboratories or offices.                                                      |    |     |     |     |     | P   | P   | P   | P   |      | P    | P   |     |     |
| Advertising, media and photography services               | 2417             | Includes advertising, marketing and public relations agencies, photographic studios and photographic services.                                                         |    |     |     |     |     |     | P   | P   | P   |      | P    | P   |     |     |
| veterinary services                                       | 2418             | Veterinary medicine, testing services for veterinary practitioners                                                                                                     |    |     |     |     |     |     | C   | P   | P   |      | P    |     |     |     |
| other professional offices                                | 2419, 6810, 6820 | Includes advertising and media services intellectual property rights, franchising, labor, political or business organizations, and uses with similar impacts           |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Administrative services                                   | 2420             | Typical office establishments in any business area. Use as a default category for most office buildings (nursing staffing)                                             |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                          | LBCS # | Description                                                                                                                                                    | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-------------------------------------------------------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| office administrative services                                    | 2421   | Office administration such as billing, record keeping, personnel, organizational planning                                                                      |    |     |     |     |     | P   | P   | P   | P   |      | P    | P   |     |     |
| facilities support services                                       | 2422   | Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.                              |    |     |     |     |     | P   | P   | P   | P   |      | P    | P   |     |     |
| employment agency                                                 | 2423a  | Provide employee placement, temporary help                                                                                                                     |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| hiring hall                                                       | 2423b  | Place of assembly for the registration or assignment of employment                                                                                             |    |     |     |     |     |     |     |     | P   |      | P    |     |     |     |
| copy center, private mail center, other business support services | 2424   | Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, internet access, small signs and banners                 |    |     |     |     |     | P   | P   | P   | P   |      | P    | P   |     |     |
| collection agency                                                 | 2425   | Collect payments, compile credit information, repossess tangible assets                                                                                        |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Travel arrangement and reservation services                       | 2430   | Promote or sell travel, includes convention and visitors' bureaus                                                                                              |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Investigation and security services                               | 2440   | Provide detective, guard and patrol services, picking up and delivery of money, selling of security systems, remote monitoring of security systems, locksmiths |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |

| Land Use                                              | LBCS #           | Description                                                                                                                                                                 | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-------------------------------------------------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Services to buildings and dwellings                   | 2450             | Provide pest control, janitorial services, landscaping, carpet cleaning, etc. (2451-2454)                                                                                   |    |     |     |     |     |     |     |     | P   |      | P    |     |     |     |
| packing, crating                                      | 2455             |                                                                                                                                                                             |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| Food Services                                         | 2500             | Prepare meals, snacks, and beverages                                                                                                                                        |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Restaurants, cafeterias, snack bars & catering        | 2510-2530 & 2560 | Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.         |    |     |     |     |     | P   | P   | P   | P   |      | P    | C   |     |     |
| Mobile food services                                  | 2550             | Prepare and serve meals and snacks for immediate consumption from motorized vehicles                                                                                        |    |     |     |     |     |     | P   | P   | P   |      | P    | P   | P   | P   |
| Food service contractor and vending machine operators | 2570 & 2580      | Provide food services at institutional, governmental, commercial, or industrial locations based on contracts. Retail merchandise through vending machines that they service |    |     |     |     |     |     |     | P   | P   |      | P    |     | P   | P   |
| Personal Services                                     | 2600             | Category for personal service establishments not classified elsewhere such as bail bonding, wedding planning, psychic services, etc.                                        |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Personal care                                         | 2610             | Hair, nail, and skin care and related personal care, barbers, beauty shops, dieting and weight loss, tanning, hair removal, hair                                            |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |

| Land Use                                            | LBCS #      | Description                                                                                                                            | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------------------------------------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                                     |             | weaving, ear piercing and similar services                                                                                             |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Dry cleaning and laundry                            | 2620        |                                                                                                                                        |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| laundromat and dry cleaning                         | 2621 & 2622 | Includes Laundromats, dry cleaners, diaper services as well as other commercial laundry services                                       |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| linen and uniform supply                            | 2623        |                                                                                                                                        |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| Photofinishing                                      | 2630        | Primarily engaged in developing film or making slides, etc.                                                                            |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Parking lot and parking garage                      | 2640        | See district standards                                                                                                                 |    |     |     | C   | C   | P   | P   | P   | P   |      | P    | P   | P   | P   |
| Special Services                                    | 2650        |                                                                                                                                        |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| licensed massage therapist                          | 2651        |                                                                                                                                        |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| tattoo parlor                                       | 2652        | Tattoos by a licensed professional                                                                                                     |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| adult retail establishment                          | 2653        | Stores primarily selling adult oriented products, including books, videos, magazines, toys, lingerie and other sexually-oriented goods |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| Pet and Animal Sales or Service (except Veterinary) | 2700        | Retails pets and other animals (except for farming purposes) and pet supplies,                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                     | LBCS #      | Description                                                                                                                                                     | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|----------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                              |             | grooming, training, and care taking                                                                                                                             |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Pet or pet supply store</b>               | <b>2710</b> | Retail pets, pet foods, pet supplies                                                                                                                            |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>Animal and pet services and kennels</b>   | <b>2720</b> | Boarding, grooming, sitting, and training (except veterinary and horse boarding)                                                                                |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>animal services</b>                       | <b>2721</b> | grooming and training                                                                                                                                           |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>animal boarding</b>                       | <b>2722</b> | sitting and boarding                                                                                                                                            |    |     |     |     |     |     | C   |     | P   |      | P    |     |     |     |
| <b>pet cemetery</b>                          | <b>2723</b> |                                                                                                                                                                 |    | C   | C   | C   | C   | C   | P   |     | P   |      | P    |     |     |     |
| <b>MANUFACTURING AND WHOLESALE TRADE</b>     | <b>3000</b> | When captive services such as accounting are provide by a separate establishment, they are classified in the appropriate function code and not in manufacturing |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Foods, Textiles, and Related Products</b> | <b>3100</b> | Produce food, tobacco, textiles, and leather                                                                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Food and beverages</b>                    | <b>3110</b> | Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting        |    |     |     |     |     |     |     | P   | P   |      | P    |     | P   | P   |
| <b>Tobacco manufacturing</b>                 | <b>3120</b> |                                                                                                                                                                 |    |     |     |     |     |     |     |     |     |      |      |     | P   | P   |

| Land Use                                                               | LBCS #                 | Description                                                                                                                                                                        | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|------------------------------------------------------------------------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| <b>Textiles, leather and leather substitute products</b>               | <b>3130 &amp; 3140</b> | Textile mills, apparel manufacturers and canvas making; dyeing plants and dry cleaning plants; leather and leather substitutes such as rubber footwear (excluding leather tanning) |    |     |     |     |     |     |     |     | P   |      | P    | P   | P   | P   |
| <b>Wood, Paper, and Printing Products</b>                              | <b>3200</b>            |                                                                                                                                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     | 0   |
| <b>Wood products</b>                                                   | <b>3210</b>            | Except furniture                                                                                                                                                                   |    |     |     |     |     |     |     |     |     |      |      |     | P   | P   |
| <b>Paper and printing materials</b>                                    | <b>3220</b>            | Manufactures paper and offer printing-related products                                                                                                                             |    |     |     |     |     |     |     |     |     |      |      |     | P   | P   |
| <b>Furniture and related products</b>                                  | <b>3230</b>            | Includes manufacture and repair of furniture, upholstery, mattresses, window blinds, window shades, awnings cabinets, fixtures                                                     |    |     |     |     |     |     |     | P   | P   |      | P    |     | P   | P   |
| <b>Chemicals, and Metals, Machinery, and Electronics Manufacturing</b> | <b>3300</b>            | Transform or refine chemicals or metals, and manufacture products from chemicals or metals                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Petroleum products</b>                                              | <b>3310</b>            | Transform crude petroleum into usable products                                                                                                                                     |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>liquid petroleum gas storage / sales</b>                            | <b>3311</b>            | This category addresses wholesale services and does not apply to incidental sales for home use                                                                                     |    |     |     |     |     |     |     |     |     |      |      |     |     | P   |

| Land Use                                                                                                                                        | LBCS #                        | Description                                                                                                                                                                                                                                                                                                                     | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| <b>Chemicals, plastic and rubber products; non-metallic mineral products, primary metal manufacturing; transportation equipment manufacture</b> | <b>3320 - 3340 &amp; 3370</b> | Manufacture inorganic chemicals, plastic or rubber products, adhesives, pharmaceuticals, wax products, insulation, bricks, ceramics, glass, cement, concrete, statuary, stone products, basic metal products, such as bars, rods, wires, and castings or finished products; produce equipment for transporting people and goods |    |     |     |     |     |     |     |     |     |      |      |     | P   | P   |
| <b>Machinery , electrical equipment, appliance, and components manufacturing</b>                                                                | <b>3350 &amp; 3360</b>        | Make machinery for particular applications, such as construction, ventilation, heating and cooling; manufacture computers, communication equipment, lighting equipment, batteries, motors, appliances, household goods and medical equipment                                                                                    |    |     |     |     |     |     |     |     |     |      |      | P   | P   | P   |
| <b>Transportation equipment and automobiles</b>                                                                                                 | <b>3370</b>                   | Produce equipment for transporting people and goods. Includes tire retreading and rebuilding. Although transportation equipment is a type of machinery, assembly tends to be distinct from the production processes common in the machinery manufacturing subsector, so these establishments are classified separately.         |    |     |     |     |     |     |     |     |     |      |      |     | P   | P   |
| <b>Miscellaneous Manufacturing</b>                                                                                                              | <b>3400</b>                   | Use for manufacturing establishments not classified elsewhere                                                                                                                                                                                                                                                                   |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Jewelry and silverware, sporting goods, toys, games and office</b>                                                                           | <b>3410-3430</b>              | Jewelry, silverware, sporting goods, toys, musical instruments, office supplies, including                                                                                                                                                                                                                                      |    |     |     |     |     |     |     |     |     |      |      | P   | P   | P   |

| Land Use                         | LBCS # | Description                                                                                                                | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|----------------------------------|--------|----------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| supplies                         |        | inks. Excludes paper mills and businesses primarily engaged in on-premises retail sales                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Signs                            | 3440   | Manufacturing of signs to be erected or installed (excludes banner printing)                                               |    |     |     |     |     |     |     |     | P   |      | P    | P   | P   | P   |
| Blacksmith                       | 3450   | Creation of objects from wrought iron steel, such as gates, railings, furniture, and other functional and decorative items |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| Wholesale Trade Establishment    | 3500   | Normally operate from a warehouse or office, selling or arranging the purchase of goods to other businesses                |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| Warehousing and Storage Services | 3600   | Operate warehouse and storage facilities for general merchandise, refrigerated goods                                       |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Office and warehousing           | 3610   | Storage of goods related to on-site office or retail use                                                                   |    |     |     |     |     |     |     | P   | P   |      | P    | P   | P   | P   |
| Warehousing                      | 3620   | Storage of goods as the principal use; includes mini-warehouses, self-storage facilities and moving companies              |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| Tank farm                        | 3630   | An area used for bulk storage of oil and other petrochemicals in above ground tanks                                        |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Underground Petroleum Storage    | 3640   | An area used for bulk storage of oil and other                                                                             |    |     |     |     |     |     |     |     |     |      |      |     |     | P   |

| Land Use                                                                 | LBCS #      | Description                                                                                                                                                                                                        | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|--------------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                                                          |             | petrochemicals in underground tanks                                                                                                                                                                                |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>TRANSPORTATION,<br/>COMMUNICATION,<br/>INFORMATION, AND UTILITIES</b> | <b>4000</b> |                                                                                                                                                                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Transportation Services</b>                                           | <b>4100</b> | Serve passengers and cargo movements                                                                                                                                                                               |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Air transportation</b>                                                | <b>4110</b> | Provide transportation for passengers or cargo using aircraft (see <a href="#">section 35.2-72.10</a> for rules related to heliports and helipads)                                                                 |    |     |     |     |     |     |     |     |     |      |      | C   | P   | P   |
| <b>Rail transportation</b>                                               | <b>4120</b> | Provide passenger and freight transportation and rail transportation support; use this category for establishments providing both transportation and support services, otherwise use the more specific subcategory |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>rail passenger transportation</b>                                     | <b>4121</b> | Passenger stations only                                                                                                                                                                                            |    |     |     |     |     |     |     | P   | P   |      | P    | P   | P   | P   |
| <b>rail freight transportation</b>                                       | <b>4122</b> | Rail yards for freight systems; excludes accessory sidings allowed within the I-2 and I-3 districts                                                                                                                |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>rail transportation support establishment</b>                         | <b>4123</b> | Provide specialized services such as repair, maintenance, loading and unloading                                                                                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                                           | LBCS #                    | Description                                                                                                                                                                    | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Road, ground passenger, and transit transportation                                 | 4130                      | Urban transit systems, charter and school bus transportation, taxis                                                                                                            |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| local transit systems—bus, special needs, sightseeing, taxi and limousine services | 4133 - 4134 & 4136 - 4137 | Single-mode local and non-local transit systems other than rail; excludes transit stops, which are allowed in all districts. Includes sightseeing, taxi and limousine services |    |     |     |     |     |     |     | P   | P   |      | P    |     | P   | P   |
| school and employee bus transportation                                             | 4135                      | Maintain and dispatch buses and other motor vehicles to transport pupils or employees                                                                                          |    |     |     |     |     |     |     |     |     |      | P    |     | P   | P   |
| towing and other road and ground services                                          | 4138                      | Tow vehicles                                                                                                                                                                   |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| Truck and freight transportation services                                          | 4140                      | Provide over-the-road transportation of cargo using motor vehicles and temporary storage                                                                                       |    |     |     |     |     |     |     |     | C   |      | C    |     | P   | P   |
| Marine and water transportation                                                    | 4150                      | Provide transportation of passengers and cargo using watercraft                                                                                                                |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| marine and sightseeing transportation                                              | 4151                      | Provide water transportation, including scenic and sightseeing, for passengers                                                                                                 |    |     |     |     |     |     |     | P   |     |      |      |     |     |     |
| Pipeline transportation                                                            | 4170                      | Use transmission lines to transport products, such as crude oil or natural gas                                                                                                 |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Postal services                                                                    | 4180                      | Operate the national postal service, including establishments that sort, route, and deliver on                                                                                 |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                   | LBCS #                       | Description                                                                                                                                                                                           | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|--------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                            |                              | a contract basis                                                                                                                                                                                      |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>national post office</b>                | <b>4181</b>                  |                                                                                                                                                                                                       |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| <b>retail courier and package delivery</b> | <b>4182</b>                  | Retail courier, package drop-off and mail services                                                                                                                                                    |    |     |     |     |     | P   | P   | P   | P   |      | P    |     | P   | P   |
| <b>Courier and messenger services</b>      | <b>4190</b>                  | Provide air, surface, or combined courier delivery services of Parcels and messages (excludes retail package drop-off and local courier services)                                                     |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| <b>Publishing</b>                          | <b>4210 &amp; 4221</b>       | Issue copies of works for which they usually possess copyright, including printing plants, motion picture and audio publishing. Includes newspaper publishing, greeting card printing and lithography |    |     |     |     |     |     |     |     | P   |      | P    | P   | P   | P   |
| <b>Motion pictures and sound recording</b> | <b>4220</b>                  | Produce and distribute motion pictures and sound recordings (includes indoor movie but excludes drive-in movie theaters)                                                                              |    |     |     |     |     |     | P   | P   | P   |      | P    | P   | P   | P   |
| <b>Telecommunications and broadcasting</b> | <b>4230</b>                  | Provide point-to-point communications; if multiple services are shared between the same facilities,                                                                                                   |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>radio and television broadcasting</b>   | <b>4231, 4232 &amp; 4241</b> | Operate broadcasting studios and facilities for over the air, cable or satellite delivery of radio and television programs                                                                            |    |     |     |     |     |     | P   | P   | P   |      | P    | P   | P   | P   |

| Land Use                                                           | LBCS # | Description                                                                                                                                                                       | RC  | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|--------------------------------------------------------------------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| wireless telecommunications transmission                           | 4233   | Operate, maintain or provide access to facilities for the transmission of voice, data, text, sound or video, see <a href="#">section 35.2-73</a> for telecommunications ordinance | C/P | C/P | C/P | C/P | C/P | C/P | C/P | C/P | C/P | C/P  | C/P  | C/P | C/P | C/P |
| telephone and other wired telecommunications                       | 4234   | Operate telephone networks - excludes switching stations                                                                                                                          | P   | P   | P   | P   | P   | P   | P   | P   | P   |      | P    | P   | P   | P   |
| Telecommunications switching stations/exchanges                    | 4239   | Telecommunications switching stations and exchanges with no on-site employees                                                                                                     | C   | C   | C   | C   | C   | C   | C   | C   | C   | C    | P    | C   | P   | P   |
| Information services and data processing and management industries | 4240   | News syndicates and information data processing and management services                                                                                                           |     |     |     |     |     |     |     |     |     |      |      |     |     |     |
| library or archive                                                 | 4242   | Provide library or archive services                                                                                                                                               |     | C   | C   | P   | P   | P   | P   | P   | P   |      | P    | P   | P   | P   |
| news syndicate                                                     | 4243   | Supply information such as news reports, articles, pictures and features to the news media                                                                                        |     |     |     |     |     |     |     | P   | P   |      | P    | P   | P   | P   |
| data processing and management, hosting and related services       | 4244   | Web hosting, computer data storage, optical scanning, computer input preparation, microfilm imaging                                                                               |     |     |     |     |     | P   | P   | P   | P   |      | P    | P   | P   | P   |
| Utilities and Utility Services                                     | 4300   | Provide utility services such as electric power, gas, water and sewage removal. Note that City-owned utilities are not subject to zoning district use standards                   |     |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                         | LBCS #                 | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|----------------------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Public Utilities Services, Major | 4315,<br>4329,<br>4339 | Includes transmission lines for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission of a regional nature and normally entail the construction of new buildings or structures such as electrical switching facilities and stations or substations, electric, gas, and other utility transmission lines of a regional nature which are not otherwise reviewed and approved by the Virginia State Corporation Commission. All overhead transmission lines are included in this definition. | C  | C   | C   | C   | C   | C   | C   | C   | C   | C    | C    | C   | P   | P   |
| Public Utilities Services, Minor | 4315,<br>4329,<br>4339 | Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures.                               | P  | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    | P   | P   | P   |
| Electric power                   | 4310                   | Provide electric power generation, transmission, control, and distribution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                                                                                     | LBCS #       | Description                                                                                                                                                                                                                                      | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|------------------------------------------------------------------------------------------------------------------------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| power generation                                                                                                             | 4315         |                                                                                                                                                                                                                                                  |    |     |     |     |     |     |     |     |     |      | C    |     | C   | C   |
| electric substations                                                                                                         | 4316         |                                                                                                                                                                                                                                                  | C  | C   | C   | C   | C   | C   | C   | C   | C   | C    | P    | P   | P   | P   |
| Water treatment plants and utility facilities                                                                                | 4331 - 4333, | Water treatment plants, pumping stations and lift stations                                                                                                                                                                                       | C  | C   | C   | C   | C   | C   | C   | C   | C   | C    | P    | P   | P   | P   |
| Solid waste, and related services                                                                                            | 4340         | Collect, treat, and dispose of waste materials                                                                                                                                                                                                   |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| hazardous waste processing, storage, treatment or disposal                                                                   | 4341 & 4342  | Operate treatment and disposal facilities for hazardous waste, combine, collect, or haul hazardous waste materials, including businesses cleaning contaminated buildings, soil or groundwater                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| solid waste collection, combustion, landfills or separation/sorting of recyclable materials from non-hazardous waste streams | 4343 - 4347  | Collect or haul hazardous waste, non-hazardous waste, or recyclable materials, operate waste transfer stations; landfill, incineration or composing of non-hazardous solid waste, recycling facilities; septic tank installation and maintenance |    |     |     |     |     |     |     |     |     |      |      |     |     | C   |
| Wastewater treatment plants                                                                                                  | 4348         |                                                                                                                                                                                                                                                  | C  |     |     |     |     |     |     |     |     |      |      |     |     | C   |
| recycling collection centers                                                                                                 | 4349         | Drop-off facilities for the collection of recycled goods                                                                                                                                                                                         |    |     |     |     |     |     |     |     | P   |      | P    | P   | P   | P   |
| ARTS, ENTERTAINMENT, AND                                                                                                     | 5000         |                                                                                                                                                                                                                                                  |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                                           | LBCS #                 | Description                                                                                                                                                                              | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|------------------------------------------------------------------------------------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| <b>RECREATION</b>                                                                  |                        |                                                                                                                                                                                          |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Performing Arts or Supporting Establishments</b>                                | <b>5100</b>            | Produce or organize and promote live presentations, excludes nightclubs                                                                                                                  |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Theater, dance or music establishment</b>                                       | <b>5110 &amp; 5160</b> | Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| <b>Motion picture viewing and exhibition services</b>                              | <b>5111</b>            | Operate movie theaters (excluding drive-ins), film festival exhibitions                                                                                                                  |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>Promoter of sports, performing arts, similar events and management services</b> | <b>5140 - 5150</b>     | Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers                                                                            |    |     |     |     |     | P   | P   | P   | P   |      | P    | P   | P   |     |
| <b>Indoor auditorium or arena</b>                                                  | <b>5170</b>            | Indoor auditoriums, arenas, conference centers, or multipurpose facilities                                                                                                               |    |     |     |     |     |     | C   | C   | C   |      | C    | C   | C   | C   |
| <b>Outdoor auditorium/arenas</b>                                                   | <b>5180</b>            | Outdoor arenas and theaters                                                                                                                                                              |    |     |     |     |     |     |     | C   | C   |      | C    | C   | C   | C   |
| <b>Museums and Other Special Purpose Recreational Institutions</b>                 | <b>5200</b>            | Public and private museums, historical sites, and similar establishments                                                                                                                 | C  | C   | C   | P   | P   | P   | P   | P   | P   |      | P    |     |     |     |
| <b>Amusement, Sports, or Recreation Establishment</b>                              | <b>5300</b>            | Operate facilities offering activities and provide services                                                                                                                              |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                         | LBCS #            | Description                                                                                                                                                                                                                   | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|--------------------------------------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Amusement or theme park establishment            | 5310              | Operate a variety of attractions such as mechanical rides, water rides, games                                                                                                                                                 |    |     |     |     |     |     | C   | C   | C   |      | C    |     |     |     |
| Commercial Amusements                            | 5320, 5380, 5390  | Operate arcades and other commercial amusements as defined herein                                                                                                                                                             |    |     |     |     |     |     | P   | C   | P   |      | P    |     |     |     |
| Country Club                                     | 5340 & 6830       | Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings                       |    | C   | C   | C   | C   | P   | P   | P   | P   |      | P    |     |     |     |
| Fitness, recreational sports, gym, athletic club | 5370              | Operate fitness and recreational sports facilities or provide services for fitness or recreational sports teams, clubs, or individual activities                                                                              |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| fitness and recreational sports center           | 5371              | Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building                          |    |     |     | C   | C   | P   | P   | P   | P   |      | P    | C   | C   |     |
| outdoor recreation                               | 5372, 5373 & 5374 | Includes golf courses, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding. Excludes automobile, dog and horse racing facilities. May include lighted outdoor |    | C   | C   | C   | C   | C   | C   | C   | P   |      | P    |     |     |     |

| Land Use                                                              | LBCS # | Description                                                                                                                                                                                         | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------------------------------------------------------------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                                                       |        | facilities.                                                                                                                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| shooting ranges, indoor                                               | 5375   |                                                                                                                                                                                                     |    |     |     |     |     |     | C   | C   | C   |      | C    | C   | C   |     |
| shooting ranges, outdoor                                              | 5376   |                                                                                                                                                                                                     | C  |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Camps, Camping, and Related Establishments                            | 5400   | Operate sites to accommodate campers and their equipment, provide overnight recreational camps, may provide cabins, food services, washrooms, spaces for overnight parking or recreational vehicles |    |     |     |     |     |     |     |     | C   |      | C    |     |     |     |
| Natural and other Recreational Parks                                  | 5500   | All parks without special economic functions, other than limited concessions                                                                                                                        | P  | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    | P   | P   | P   |
| EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE, AND OTHER INSTITUTIONS | 6000   | Note that City-owned facilities are not subject to zoning district use standards                                                                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Educational Services                                                  | 6100   | Offer teaching and learning                                                                                                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Nursery or preschool                                                  | 6110   | See district standards                                                                                                                                                                              |    | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    |     |     |     |
| Grade school                                                          | 6120   | Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere. See district standards                  |    | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    |     |     |     |

| Land Use                                    | LBCS #                | Description                                                                                                                           | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|---------------------------------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| College or university                       | 6130                  | See district standards                                                                                                                |    | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    |     |     |     |
| Technical, trade, or other specialty school | 6140 & 6568           | Offer vocational and technical training as well as vocational rehabilitation services                                                 |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| general technical schools                   | 6141-6143, 6145, 6147 | Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities |    |     |     | C   | C   |     | P   | C   | P   | P    | P    |     |     |     |
| driving education                           | 6144                  |                                                                                                                                       |    |     |     |     |     |     | P   |     | P   |      | P    |     |     |     |
| flight training                             | 6146                  | Offer aviation and flight training                                                                                                    |    |     |     |     |     |     |     |     |     |      | P    |     |     |     |
| Other Government Functions                  | 6300                  | Other government owned establishments not classified elsewhere such as defense and national guard establishments                      |    |     |     |     |     |     |     | C   | P   |      | P    |     | C   | C   |
| Public Safety                               | 6400                  | Government-owned establishments providing fire and rescue, police, and emergency response services                                    | P  | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    | P   | P   |     |
| Health and Human Services                   | 6500                  | Provide health care, social assistance, and associated services                                                                       |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Ambulatory or outpatient care services      | 6510                  | Offer health care services directly to patients without providing inpatient services                                                  |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                       | LBCS #       | Description                                                                                                                                                                                                                                                                                        | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3      | B-4 | B-5      | IN-1 | IN-2     | I-1 | I-2 | I-3 |
|----------------------------------------------------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|----------|-----|----------|------|----------|-----|-----|-----|
| clinic                                                         | 6511 & 6567  | Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans affairs services                                                                                                                                                                       |    |     |     |     |     | P   | P        | P   | P        | P    | P        |     |     |     |
| outpatient care clinic                                         | 6512         | Provide outpatient family planning services and outpatient care                                                                                                                                                                                                                                    |    |     |     |     |     | P   | P        | P   | P        | P    | P        |     |     |     |
| <u>abortion clinic</u>                                         | <u>6512a</u> | <u>Abortion clinics as defined in Section 35.2-113</u>                                                                                                                                                                                                                                             |    |     |     |     |     |     | <u>C</u> |     | <u>C</u> |      | <u>C</u> |     |     |     |
| medical or diagnostic laboratory; blood/organ bank             | 6513 - 6514  | Provide analytic or diagnostic services including medical imaging                                                                                                                                                                                                                                  |    |     |     |     |     |     | P        | P   | P        | P    | P        |     |     |     |
| Nursing, supervision and other rehabilitative services, except | 6520         | Provide inpatient nursing and rehabilitative services and can accommodate patients for extended care, includes alcoholism or drug addiction rehabilitation, mental health Halfway Houses, group homes, and psychiatric convalescent homes see 1200 for nursing homes and long-term congregate care |    |     |     |     |     |     |          |     |          |      |          |     |     |     |
| halfway house                                                  | 6521         | Residential services for pre- or post-release of convicted individuals                                                                                                                                                                                                                             |    |     |     |     |     |     |          |     |          |      |          |     |     |     |
| group home small                                               | 6522         | Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities                                                                                                                                                          | P  | P   | P   | P   | P   | P   | P        | P   | P        | P    | P        |     |     |     |
| group home large                                               | 6523         | Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual                                                                                                                                                                                                 | C  | C   | C   | C   | C   | P   | P        | P   | P        | C    | P        |     |     |     |

| Land Use                                            | LBCS #      | Description                                                                                                                                                                 | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                                     |             | or developmental disabilities                                                                                                                                               |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| rehabilitation centers                              | 6524        | See sanitarium for definition                                                                                                                                               |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Hospital                                            | 6530        |                                                                                                                                                                             |    | C   | C   | C   | C   | C   | C   | C   | P   |      | P    |     |     |     |
| Social assistance, welfare, and charitable services | 6560        | Provide social assistance directly to individuals, do not offer residential or accommodation services                                                                       |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| child and youth services                            | 6561        | Offer services such as adoption, foster care, drug prevention services                                                                                                      |    |     |     |     |     |     |     |     |     | P    | P    |     |     |     |
| child and adult day care                            | 6562        | Provide day care for children and adults                                                                                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| home                                                | 6562a       | Day care for fewer than six (6) individuals in a residence                                                                                                                  | P  | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    |     |     |     |
| small                                               | 6562b       | Day care for six (6) to twelve (12) individuals in a residence                                                                                                              |    | C   | C   | C   | C   | P   | P   | P   | P   | P    | P    |     |     | 0   |
| large                                               | 6562c       | Provide care for more than 12 individuals                                                                                                                                   |    | C   | C   | C   | C   | P   | P   | P   | P   | P    | P    |     |     |     |
| care services community food services               | 6563 - 6566 | Includes community food services, emergency and relief services, services for the elderly and disabled other family services; does not include on-site provision of housing |    |     |     |     |     |     |     |     |     | P    | P    |     |     |     |

| Land Use                        | LBCS # | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|---------------------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Religious Institutions          | 6600   | Churches, temples, synagogues, mosques, convents and monasteries                                                                                                                                                                                                                                                                                                                                                                                                                               |    | C   | C   | C   | C   | P   | P   | P   | P   | P    | P    |     |     |     |
| Death Care Services             | 6700   | Funeral homes, crematories, cemeteries, undertakers                                                                                                                                                                                                                                                                                                                                                                                                                                            |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Funeral home and services       | 6710   | Includes funeral homes combined with crematories                                                                                                                                                                                                                                                                                                                                                                                                                                               |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Cemetery or cremation services  | 6720   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| free-standing cemetery          | 6722   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |    | C   | C   | C   | C   | C   | P   |     | P   |      | P    |     |     |     |
| columbarium                     | 6724   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |    | C   | C   | C   | C   | C   | C   | P   | P   |      | P    |     |     |     |
| CONSTRUCTION-RELATED BUSINESSES | 7000   | Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may limit or preclude manufacturing, outdoor operations, outdoor storage of commercial vehicles and materials. |    |     |     |     |     |     | P   | P   | P   |      | P    |     | P   | P   |
| AGRICULTURE, FORESTRY,          | 9000   | Grow crops, raise animals, harvest timber,                                                                                                                                                                                                                                                                                                                                                                                                                                                     |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                             | LBCS #      | Description                                                                                          | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|----------------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| <b>FISHING, AND HUNTING</b>                                          |             | and harvest fish and other animals, may be described as farms, greenhouses, nurseries, or hatcheries |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Crop Production</b>                                               | <b>9100</b> |                                                                                                      |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Vegetable farming or growing</b>                                  | <b>9120</b> | Includes private fields and community gardens                                                        | P  | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    |     |     |     |
| <b>Commercial orchards</b>                                           | <b>9130</b> | Includes fruit and nut trees for commercial production                                               | P  | P   | P   | P   | P   | P   | P   |     | P   | P    | P    |     |     |     |
| <b>Greenhouse Production</b>                                         | <b>9140</b> |                                                                                                      |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Greenhouse - no on-premises sales</b>                             | <b>9141</b> | Commercial greenhouse production                                                                     | P  | P   | P   | P   | P   |     | P   | P   | P   |      | P    |     | P   | P   |
| <b>Greenhouse - sales of products grown on premises</b>              | <b>9142</b> |                                                                                                      | P  |     |     |     |     |     | P   | P   | P   |      | P    |     | P   | P   |
| <b>Greenhouse - sales of products and related accessory products</b> | <b>9143</b> |                                                                                                      |    |     |     |     |     |     | P   | P   | P   |      | P    |     | P   | P   |
| <b>Animal Production</b>                                             | <b>9300</b> | Keep, graze, breed or feed animals (see district standards)                                          | P  | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    | P   | P   | P   |
| <b>Unclassifiable or No Function</b>                                 | <b>9900</b> | Temporary placeholder until a code can be assigned                                                   |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                   | LBCS # | Description                                                                                                                                             | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|--------------------------------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Temporary uses                             | 9920   |                                                                                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| tent revival meetings/transient amusements | 9921   | Includes temporary carnivals and circuses (see <a href="#">section 35.2-72.23</a> )                                                                     |    | P   | P   | P   | P   | P   | P   | P   | P   |      | P    | P   | P   | P   |
| temporary outdoor promotional attractions  | 9922   | Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see <a href="#">section 35.2-72.23</a> ) |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| Land Use Development Patterns              | 9950   |                                                                                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| residential cluster development            | 9951   | See <a href="#">section 35.2-80</a>                                                                                                                     |    | P   | P   | P   | P   |     |     |     |     |      |      |     |     |     |
| traditional neighborhood development       | 9952   | See <a href="#">section 35.2-82</a>                                                                                                                     |    | C   | C   | C   | C   | C   | C   | C   | C   |      | C    |     |     |     |
| planned unit development                   | 9953   | See <a href="#">section 35.2-83</a>                                                                                                                     |    | C   | C   | C   | C   |     |     |     |     |      |      |     |     |     |
| large scale retail establishments          | 9954   | See <a href="#">section 35.2-84</a>                                                                                                                     |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| cluster commercial development             | 9955   | See <a href="#">section 35.2-85</a>                                                                                                                     |    |     |     |     |     | C   | C   | C   | C   |      | C    |     |     |     |
| flex space development                     | 9956   | See <a href="#">section 35.2-86</a>                                                                                                                     |    |     |     |     |     |     |     |     | C   |      | C    | P   | P   |     |
| corporate campus                           | 9957   | See <a href="#">section 35.2-87</a>                                                                                                                     |    |     |     |     |     |     |     |     | C   |      | C    | P   | P   |     |
| Billboards                                 | 9990   | Billboards and other signs advertising goods                                                                                                            |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |

| Land Use | LBCS # | Description                                                      | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|----------|--------|------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|          |        | and services not available on the site where the sign is located |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

(Remainder of Page Intentionally Left Blank)

7. That, in accordance with § 38 – A (1) of the Charter for the City of Lynchburg, Virginia, this Ordinance shall be published by “pamphlet” by the Clerk of Council and become effective on \_\_\_\_\_, which is no less than thirty (30) days from the adoption date of this Ordinance.

Adopted:

Certified: \_\_\_\_\_  
Clerk of Council



# THE CITY OF LYNCHBURG COMMUNITY DEVELOPMENT

900 Church Street  
Lynchburg, VA 24504

## SUMMARY OF PROPOSED ZONING AMENDMENTS

- Section 35.2-113 – Definitions:
  - Define Abortion Clinic – p. 1
  - Amend definition of Hospital – pp. 15-16
  - Amend definition of Medical or Dental Clinics – p. 19
- Section 35.2-46.2 – Authorized Uses – Exhibit IV-15 Authorized Uses in B-3 District
  - Add Abortion Clinic (LBCS# 6512a) as a use permitted by Conditional Use Permit subject to standards in Section 35.2-72.28 – p 43
- Section 35.2-48.2 – Authorized Uses – Exhibit IV-19 Authorized Uses in B-5 District
  - Add Abortion Clinic (LBCS# 6512a) as a use permitted by Conditional Use Permit subject to standards in Section 35.2-72.28 – p 58
- Section 35.2-50.2 – Authorized Uses – Exhibit IV-23 Authorized Uses in IN-2 District
  - Add Abortion Clinic (LBCS# 6512a) as a use permitted by Conditional Use Permit subject to standards in Section 35.2-72.28 – p 76
- New Section 35.2-72.28 – Abortion Clinics
  - Sets standards for abortion clinics whether principle use or an accessory use – p. 80
  - Sets Zoning Districts where abortion clinics are allowed by conditional use permit – B-3, Community Business District, B-5, General Business District, IN-2, Institutional District 2 – p. 80
  - Sets location criteria – abortion clinics shall not be located within 1000 feet of:
    - R-C, Conservation District
    - R-1, Low Density Residential District
    - R-2, Low – Medium District Residential District
    - R-3, Medium Density Residential District
    - R-4, High Density Residential District
    - FSC, Fifth Street Revitalization Corridor Overlay District
    - Historic Districts
    - James River Arts and Cultural District
    - Church or other place of worship
    - Public library
    - Public or private pre-kindergarten, elementary, middle or high school
    - Public park
    - Children’s Museum

# THE CITY OF LYNCHBURG COMMUNITY DEVELOPMENT

900 Church Street  
Lynchburg, VA 24504



- Child Day Care Center
  - Motel or Hotel – p.80
  - Standards apply to new, relocation, enlargement, conversion of any establishment as an abortion clinic – p.80
- APPENDIX A – TABLE OF AUTHORIZED LAND USES
  - Amend table to list abortion clinic (LBCS# 6512a) as permitted by conditional use permit in the B-3, Community Business District, B-5, General Business District and the IN-2, Institutional 2 District – p. 108

ZONING ORDINANCE AMENDMENT PROPOSAL TO DEFINE ABORTION CLINICS, ESTABLISH SPECIFIC LAND USE STANDARDS, AND AMEND BASE ZONING DISTRICTS.

Profound moral and political debate are associated with the practice of abortion, and the use of land, buildings, structures and other premises for abortion clinics must be carefully considered to avoid conflict between nearby uses of property and to promote creation of harmonious community. Currently, abortion clinics are allowed by-right in sensitive areas such as across the street from E.C. Glass High School and Heritage High School, and next to the Jubilee Family Development Center.

Va. Code § 15.2-2280 enables zoning to regulate land uses, § 15.2-2283 promotes harmonious communities, and Section 38 of the Charter for the City of Lynchburg authorizes ordinances that City Council deems necessary; therefore, City Council may direct city staff to prepare Zoning Ordinance Amendments to amend Base Zoning Districts IN-1 and IN-2, define Abortion Clinics, and establish Specific Use Standards as follows:

1. Amend Section 35.2-49 (IN-1) and Exhibit IV-21 by adding after LBCS #6512 (Outpatient care clinics):

|                 |       |                                              |   |
|-----------------|-------|----------------------------------------------|---|
| Abortion clinic | 6512a | Abortion clinics as defined in Sec. 35.2-113 | C |
|-----------------|-------|----------------------------------------------|---|

2. Amend Section 35.2-49 (IN-2) and Exhibit IV-23 by adding after LBCS #6512 (Outpatient care clinics):

|                 |       |                                              |   |
|-----------------|-------|----------------------------------------------|---|
| Abortion clinic | 6512a | Abortion clinics as defined in Sec. 35.2-113 | C |
|-----------------|-------|----------------------------------------------|---|

3. Amend Section 35.2-72 – Specific Use Standards, with new Section 35.2-72.XX – Abortion Clinics as follows:

**Sec. 35.2-72.XX. – Abortion Clinics.**

Abortion Clinics (see LBCS code 6512a), whether principal use or accessory to another use, shall meet the following standards:

- (a) No abortion clinic may be established within 1,000 feet of the following zoned districts:

- (1) Conservation District (R-C);
- (2) Low Density Residential Districts (R-1);
- (3) Low-Medium Density Residential Districts (R-2);
- (4) Medium Density Residential Districts (R-3);

- (5) High Density Residential Districts (R-4);
- (6) Fifth Street Revitalization Corridor Overlay District (FSC);
- (7) Historic Districts (HD);
- (8) James River Arts and Cultural District.

(b) No abortion clinic may be established within 1,000 feet of any church or other place of worship, public library, public or private pre-kindergarten, elementary, middle or high school, public park, children's museum, or child day care center.

(c) The establishment of any abortion clinic as referred to herein shall include the opening of such business as a new business, the relocation of such business, the enlargement of such business in either scope or area, or the conversion, in whole or in part, of an existing business to abortion clinic.

4. Amend Section 35.2-113 – Definitions, by adding/revising definitions as provided:

**Abortion clinic:** means a facility, other than a hospital, where any person administers to, or causes to be taken by a woman, any drug, medicine, or any other substance other than contraceptive methods that are approved by the U.S. Food and Drug Administration, or use any instrument, device, or means, with intent to knowingly destroy the life of an embryo or fetus in his or her mother's womb.

**Hospitals:** An institution receiving in-patients and rendering medical, surgical, and/or obstetrical care to private and charity patients, and usually including research and training activities, but in all cases excluding abortion clinics. This shall include general hospitals and institutions in which service is limited to special fields, such as cardiac, eye, ear, nose and throat, pediatric, orthopedic, skin and cancer, tuberculosis, chronic disease and obstetrics. Hospital patients generally require intensive care for periods generally not exceeding several months.

**Medical or dental clinics:** Any building or group of buildings occupied by two or more medical or dental practitioners, but in all cases excluding abortion clinics, for the purpose of providing health services to people on an out-patient basis.

5. Amend Appendix A by adding row after 6512:

| Land Use        | LBCS # | Description                                  | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------|--------|----------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Abortion clinic | 6512a  | Abortion clinics as defined in Sec. 35.2-113 |    |     |     |     |     |     |     |     |     | C    | C    |     |     |     |

6. Identify any additional amendments that would be needed to prevent inconsistencies and gaps to ensure "abortion clinic" doesn't overlap with any other use, such as "ambulatory surgical centers," etc. This should be incorporated within the final ordinance draft before it is sent to the Planning Commission for review.

**MINUTES OF THE DECEMBER 10, 2025 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED):**

**Consideration of amending Section 35.2 of the City of Lynchburg Zoning Ordinance to (i) create a definition for "Abortion Clinic" and to amend the definitions of "Hospital" and "Medical or Dental Clinic"; (ii) to authorize Abortion Clinics by Conditional Use Permit in B-3, Community Business District; B-5, General Business District; and IN-2, Institutional District 2; and (iii) to establish specific zoning standards, limitations, and restrictions for Abortion Clinics.**

Mr. Tom Martin, Director of Community Development, provided the following summary to the Commission. The purpose is to amend sections of the Zoning Ordinance to create regulations for abortion clinics. On October 14, 2025, City Council directed staff to initiate the process of amending the Zoning Ordinance to regulate abortion clinics. The proposed ordinance amendments were based upon drafted language that was considered by City Council when they initiated the amendment. There are currently no abortion clinics in Lynchburg that staff is aware of. Abortion Clinics are currently permitted by-right as an outpatient care clinic in B-1, Limited Business District; B-3, Community Business District; B-4, Urban Commercial District; B-5, General Business District; IN-1, Institutional 1 District; and IN-2, Institutional 2 District. In Section 35.2-113, the proposed ordinance would define an abortion clinic and amend the definition of a hospital to specify that a hospital is not considered an abortion clinic; the intent of the ordinance is not to regulate abortions that happen in a hospital setting. It would also amend the definition of dental and medical clinics to specify that they are not considered abortion clinics. Within the B-3, B-5, and IN-2 districts, it would create a new land-based classification code (6512a) for abortion clinics. The authorized uses section of the code for these districts specifies that an abortion clinic would only be permitted upon approval of a Conditional Use Permit by City Council. The bulk of the regulations would be in the new Section 35.272.28, Abortion Clinics, which is where the standards for abortion clinics are set, whether they are the principle use or an accessory use. This section sets the location criteria, which states: Abortion clinics shall not be located within one thousand (1,000) feet of Residential zoning districts, Fifth Street Revitalization Corridor Overlay District, Historic Districts, James River Arts & Cultural District, churches or other places of worship, public libraries, public or private schools, public parks, children's museum, child care day centers, motels, or hotels. These standards would apply to any new, relocation, enlargement, or conversion of any establishment as an abortion clinic. Since Lynchburg has none of these types of establishments, it would apply to new clinics. The ordinance then amends Appendix A: Table of Authorized Land Uses. Appendix A is a collection of all the different authorized uses, by district. It would restate that abortion clinics would be permitted by Conditional Use Permit only in B-3, B-5, and IN-2 districts. City Council directed staff to initiate these proceedings; Council was very clear that they wanted to regulate these types of facilities. City staff's role in this process is to make sure that whatever is adopted is enforceable and defensible. Staff did have conversations with the patron of the original ordinance to let them know staff's thoughts were. City staff removed the IN-1 district based on the reasoning that these districts are for small institutions, located primarily within or adjacent to residential areas. If the location standards prohibit the use within one thousand (1,000) feet from a residential area, then there is no logic for allowing them in an IN-1 district as they will not meet the location standards. The addition of B-3 and B-5 districts is to open up more areas in the City and make the ordinance more defensible, in case it is ever challenged. This ordinance does not create a ban on these types of facilities, but it does regulate their location. Staff amended the proposed definition of abortion clinic to exclude "family planning services," as it is an enforceability issue; if family planning services are allowed by-right, then there needs to be an understanding that family planning services are not considered an abortion clinic. Additionally, the proposed ordinance adds "motel or hotel" because the B-3 and B-5 districts were added; and changes the word "business" to "establishment," as it was an enforceability issue as one could argue that a nonprofit is not a business.

Chair Rogers asked if there was anyone present to speak in favor of the petition.

Mr. Thomas Hill said he represents Virginia for Preborn Justice and is a student at Liberty University. He stated that taking this action is common sense, as abortion clinics are controversial and should be brought before the City Council for approval. He added that it is important to ensure abortion clinics are not placed near schools, churches, or other similar facilities. He stated that millions of preborn children are being killed every year and he believes we have a responsibility to take steps to regulate and end it; and added that this is a great way to give citizens a say through their City Council members on the matter of abortion clinic in

Lynchburg. He referenced the locality of Vinton, Virginia, stating that an abortion clinic was built there against citizens' wishes, the City Council was unaware, and nothing could be done. He concluded that we have a responsibility to stand up for all members of our human family, including preborn.

Chair Rogers asked if there was anyone present to speak in opposition to the petition.

Mr. Jeffrey Smith said that this issue is complicated and the change seems to be a solution looking for a problem that Lynchburg does not have; it does not make sense to make a significant amendment to the Zoning Ordinance to create a solution for a problem that does not exist. He added that the issue is divisive and City Council would better spend its time focused on services for the community instead of on issues that are clearly national in origin. He stated that the way the amendment is drafted intends to eliminate the opportunity for abortion clinics in Lynchburg. He concluded that when we deny people – women in this instance – the medical services they need by forcing them to go outside of their community, it is a problem.

Ms. Risë Hayes said this amendment was waste, fraud and abuse. She explained that firstly, it is a waste of time and money, because it is not an issue in Lynchburg, where there are zero (0) abortion clinics. She continued that secondly, it is a fraud, as Council members are creating a solution for a non-issue; this amendment has been brought forward so that it can be used for a reelection campaign next year. She added that finally, this is an abuse of the Zoning Ordinance; while it is legally permitted to pass this kind of zoning amendment, it is really not the intent or spirit of the Zoning Ordinance to limit access to medical care. She cautioned that there is currently an amendment going through the Virginia State Legislature that, if passed, will make reproductive freedom a constitutionally protected right, so if the City passes this amendment now it could lead to the City being sued by the ACLU (American Civil Liberties Union) or other organizations.

Mr. Pat O'Hara said he was surprised to hear about the proposal to amend the Zoning Ordinance since the city does not have any abortion clinics and has not for a while. His main concern was the impact that redefining an abortion clinic would have on any future businesses who would potentially want to start an establishment. He added that this amendment would unnecessarily and unfairly target these types of institutions. He stated that he was also concerned about the impact on women's healthcare; explaining that it would be denying potential life sustaining care as women have higher death rates during pregnancy and childbirth. He added that restrictions to location and the one thousand (1,000) foot restriction seems to make building an abortion clinic nearly impossible; an abortion clinic would have to be a thousand (1,000) feet from a school and yet the legal requirement for sex offenders is five hundred (500) feet. He concluded that it seems City Council is more concerned with denying women reproductive healthcare than with protecting our children from registered sex offenders.

Ms. Jennifer Staten said that she is not in support of the amendment and she understands City Council sent this item to Planning Commission to for their opinion on the matter. She requested that Planning Commission advise City Council that this is not a good decision for Lynchburg. She stated that it is a non-issue right now and recalled that in the early 2000s there was a Planned Parenthood office here – just a free doctor's clinic – and even that facility was basically run out Lynchburg. She concluded that there is no interest from a clinic to locate here because there are just more convenient places to go to that will not have the same level of pushback. She explained that she lived near an elementary school, where neighborhood children regularly walk to school; she is concerned about the message this amendment sends, that sex offenders have to be only five hundred (500) feet from a school, while an abortion clinic has to be one thousand (1,000) feet.

Ms. Ashton Badenell left a voicemail stating that she strongly opposed the proposed amendment of Section 35.2 of the Lynchburg Zoning Ordinance, which is intended to be a total ban on any abortion clinic operating in Lynchburg. She recognized that many in the city may be opposed to abortion on principle, which is understandable, and said this matter is about access to an equipped medical facility when a procedure needs to be performed. She said it is a simple outpatient procedure that could be safely performed at a number of medical facilities and cited an example of a woman in Texas whose baby had anencephaly and had no chance of surviving; because there was still a heartbeat, the woman was faced with a choice – carry to term with all the physical trauma that entails and watch her baby die or travel to another state to have access to the procedure to end the pregnancy. She explained that either way the baby dies and the mother grieves, the differences are how much her body goes through and how far she has to travel. She cited

another example from the same state, where the woman was advised by her doctor to spend her final trimester in another state as she would have greater access to healthcare, if an abortion was needed, not wanted. She concluded that the simple reality is that abortions are an outpatient healthcare procedure and access to it, when necessary, is vital to the health and safety of women and to the community. She cautioned that if just one Lynchburg woman passes because this zoning proposal demanded she travel for the procedure, then you have failed your community and failed to stand up for family values and the downtrodden. She recognized that access to healthcare in Lynchburg is better than many others in this country, but it is not great; and stated that we should not be making strides to limit access by statute, instead we should be attempting to attract qualified healthcare facilities and professionals.

With there being no further members of the public who wished to speak on the petition, Chair Rogers closed the public hearing.

Commissioner Cox asked Mr. Martin to clarify and state the problem that they are trying to address, given that so many present have said this is a solution looking for a problem that does not exist.

Mr. Martin replied the purpose of the ordinance is to amend the Zoning Ordinance to regulate abortion clinics. Albeit, there are none existing now, so this amendment would affect new clinics. His understanding is that City Council wants to be able to regulate where these types of facilities could be located. That is why the ordinance was put forth.

Commissioner Gammon addressed some claims he believed were misrepresented. First, he disagreed that the ordinance is a solution in search of a problem, stating that if abortion clinics are not put to a vote before they are built, they crop up like a mushroom in your community. He stated that the language in the ordinance is specifically designed to be preventative. Secondly, he disagreed with the implication that this matter had been sent to Planning Commission by a minority of Council members. He referenced the unanimous Council vote to direct staff to write the ordinance with language that is designed to be preventative. He added that the Planning Commission is an advisory body to City Council; Commissioners are not elected, they are appointed by City Council as a formality. He noted that staff usually recommends approval or denial, but in this case, staff did not take a stance because this language came directly from City Council; City staff have done exactly what was asked of them by City Council, in direct discussion with them. He made a motion to recommend to City Council approval of this amendment in its present form, since the language of it is reasonable, was specifically requested by City Council, fulfills its designed purpose, and was tailored by staff in conjunction with City Council members to be precisely what it is. He concluded, it is City Council's amendment, not Planning Commission's, to pass or fail.

Commissioner Henderson asked Mr. Martin who authored the proposal and who signed off on it.

Commissioner Gammon commented that he knew of at least four (4) parties who were involved.

Mr. Martin replied that it was placed on the City Council agenda by at least one (1) council member. The entire council considered the language that was set forth and all seven (7) of them voted to initiate it.

Commissioner Henderson said then it was not necessarily true that all of City Council worked together to prepare this ordinance.

Commissioner Gammon responded that they do not all produce the legislation, but they all do vote on it.

Commissioner Henderson commented that there was a bit of nuance to his language.

Commissioner Gammon replied they all voted to send it to staff to prepare the language.

Commissioner Henderson said that it was not necessarily true that all of City Council wanted this proposal.

Chair Rogers stated that he had an issue with some of the language in the ordinance, but before they get too far they need to address the motion, see if there is a second, and then continue the discussion.

Commissioner Woodson seconded the motion, stating that he believed the language was reasonable when considering vulnerable communities such as churches or schools; abortion clinics should not be in close proximity to those types of institutions.

Chair Rogers said he would like to see a map of what the one thousand (1,000) foot restriction looks like and what kind of possibilities there are. He mentioned that seven hundred and fifty (750) feet was also mentioned in the City Council meeting.

Mr. Martin displayed a map with the one thousand (1,000) foot restriction areas. The areas shown on the map that are green are the prohibited areas because they are one thousand (1,000) feet from a residential district or one of the other areas listed in the ordinance. The area primarily between Candler's Mountain Road, Odd Fellows Road, and the Lynchburg Expressway has sites that would allow for these facilities. There are some properties zoned B-3 or B-5, out toward Forest Road. There are approximately twenty (20) parcels where these facilities could be located by Conditional Use Permit (CUP). That does not mean that someone could not petition to rezone a parcel in that area and request a CUP.

Chair Rogers asked if they had a map showing seventy hundred and fifty (750) feet

Mr. Martin replied that Council proposed one thousand (1,000) feet and that is what staff based it on.

Commissioner Cox asked if Mr. Martin knew on what basis they choose a thousand (1000) feet.

Mr. Martin replied that he did not know. They may not be great examples, but the ordinance does have two examples of airports and heliports having a one thousand (1,000) feet buffer requirement.

Commissioner Henderson asked if this was aligned or misaligned with the Comprehensive Plan.

Mr. Martin said the Comprehensive Plan is the document that the City would use to craft the Zoning Ordinance around. Within the staff report he quoted the Comprehensive Plan, "to promote the economic vitality of commercial corridors and efficient use of employment areas through coordination of public and private sector investments to continue to enhance their function, attractiveness and function of areas from encroachment of uses that would inhibit their efficient use." Not getting into the debate on whether they should or should not be permitted by conditional use permit, from a land use perspective they could be controversial. There are opportunities for protests and counter protests. It is probably not a good thing to have near the types of uses listed or in our commercial areas. It is for the Commission to consider and this is really the only relevant reference in the Comprehensive Plan.

Commissioner Cox asked if the City called for a risk assessment on the legality of this action and whether or not the City could be at risk of a lawsuit in the future.

Mr. Martin replied that frankly the City could be at risk of a lawsuit for any zoning change. Staffs' role in this process was to make this ordinance as enforceable and defensible as possible, which is what was presented to the Commission.

Commissioner Perault said that the Commission is moving beyond their land use role and into a legislative type role. He observed that there is a lot of green on the map; and said it seems like if we are trying to stop something from happening, then we need to just come out and say that is what is being done, instead of coming up with buffers, lists, and other things that are basically allowing that to happen.

Commissioner Gammon responded that the challenge was that you open yourself up to political and legal attacks when you do that. He said that by using the Zoning Ordinance to keep this, tattoo parlors, or whatever else out of a given area is a preventative approach to do so. He added that zoning is out of the reach of the Dillon Rule; in other words, you cannot be sued by anyone at the state level because it is something cities are authorized to do.

Chair Rogers said the issue comes back to the distance, noting that it would make sense to be located near a hospital. He added, that it is not about whether you want them, it is really about the use of the land.

He stated that he is apt not to support this item simply because he thinks the distance restrictions are a bit broader than they should be.

Commissioner Gammon commented it is doing what it is supposed to.

Chair Rogers replied it would still do that even with smaller distance requirement.

Commissioner Perault commented there are other uses that have been mentioned – vape shops, tattoo parlors, adult bookstores; you could just keep adding to the list, so at what point does it stop.

Commissioner Gammon responded they could do those things, and at some point, it would go before the elected body, who – depending on the political party in charge – will do what they want to do.

Chair Rogers asked Mr. Martin who frames the conditions of a Conditional Use Permit.

Mr. Martin replied, in the beginning they are typically framed by city staff, but Planning Commission and City Council always has the ability to add or amend conditions during the process.

Commissioner Henderson said that they do not have the necessary information to make a ruling on this matter. He continued that this ordinance creates excessive barriers for nearly all residential, institutional, and cultural districts, as well as numerous community facilities. It raises legitimate planning questions about whether any feasible sites remain available, and if so, where are they located. We cannot properly evaluate compatibility, economic impact or community effects without seeing an analysis. He is not in favor of this proposal.

Chair Rogers commented that you could vote for it or against it and either way, it could be misconstrued as your value system.

Commissioner Gammon made the following motion, seconded by Commissioner Woodson. The motion to approve failed by the following vote:

**“Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of amending the Zoning Ordinance as provided in the proposed ordinance accompanying this recommendation and, in summary, as follows: amending Section 35.2-113, Definitions; amending Section 35.2-46.2, Authorized Uses, (B-3, Community Business District); amending Section 35.2-48.2, Authorized Uses (B-5, General Business District); amending Section 35.2-50.2, Authorized Uses (Institutional District 2); creating new Section 35.2-72.28, Abortion Clinics; and amending Appendix A, Table of Authorized Land Uses.”**

|                                       |   |
|---------------------------------------|---|
| AYES: Gammon, Woodson                 | 2 |
| NOES: Cox, Henderson, Perault, Rogers | 4 |
| ABSTENTIONS:                          | 0 |
| ABSENT:                               | 0 |

Mr. Martin conferred with Ms. Hope Townes, Deputy City Attorney; given that the motion to approve the amendment failed, would this item be moving forward to City Council as a recommendation for denial?

Ms. Townes confirmed that it would be a recommendation for denial.

# **The Department of Community Development**

**City Hall, Lynchburg, VA 24504** **434-455-3900**

---

**To:** Planning Commission  
**From:** Planning Division  
**Date:** December 10, 2025  
**Re:** ***ZONING ORDINANCE* AMENDMENT(s):** Amend Section 35.2-113, Definitions; Amend Section 35.2-46.2, Authorized Uses, (B-3, Community Business District); Amend Section 35.2-48.2, Authorized Uses (B-5, General Business District); Amend Section 35.2-50.2, Authorized Uses (Institutional District 2); Create New Section 35.2-72.28, Abortion Clinics; and Amend Appendix A, Table of Authorized Land Uses

---

## **I. PETITIONER**

City of Lynchburg, 900 Church Street, Lynchburg, Virginia 24504

**Representative:** Mr. Tom Martin, AICP, Director, Community Development, 900 Church Street, Lynchburg, Virginia 24504

**Property Owner:** N/A

## **II. LOCATION**

The proposed *Zoning Ordinance* Amendments would permit abortion clinics by conditional use permit in the B-3, Community Business District, B-5, General Business District, and IN-2, Institutional District 2 subject to the standards as proposed in a new Section 35.2-72.28, Abortion Clinics.

## **III. PURPOSE**

The purpose of the *Zoning Ordinance* Amendment is to:

- Define abortion clinics.
- Amend the definition of hospitals.
- Amend the definition of medical or dental clinics.
- Set zoning standards for abortion clinics within the City.
- Permit abortion clinics, upon approval of a conditional use permit, within the B-3, Community Business District, B-5, General Business District, and the IN-2, Institutional District 2.

## **IV. SUMMARY**

- On October 14, 2025, City Council directed staff (7-0) to initiate the process of amending the Zoning Ordinance to regulate abortion clinics.
- The proposed amendments are based upon ordinance language considered by Council when initiating the Zoning Ordinance amendments.
- There are currently no abortion clinics located within the City of Lynchburg.
- Abortion clinics are currently permitted by right as an “outpatient care clinic” in the B-1, Limited Business District, B-3, Community Business District, B-4, Urban Commercial District, B-5, General Business District, IN-1, Institutional District 1, and IN-2 Institutional District 2.

**City Council directed staff to initiate amendments to the Zoning Ordinance.****V. FINDINGS OF FACT**

1. **Comprehensive Plan.** On a day-to-day basis, the City’s development regulations (zoning and subdivision regulations) are essential tools for implementation of the *Comprehensive Plan*. Updates to these regulations should be consistent with the Plan to ensure that requests support the Plan’s vision goals and policies. (p.41) Land Use Goal 2.6 states “Promote the economic vitality of commercial corridors and efficient use of employment areas through: Coordination of public and private sector investments that continue to enhance their function and attractiveness; and Protection of the areas from encroachment of uses that would inhibit their efficient use”. (p.15)
2. **Zoning.** The *Zoning Ordinance* was adopted by City Council on February 23, 2016.
3. **Proffers.** N/A
4. **Board of Zoning Appeals (BZA).** N/A
5. **Surrounding Area.** N/A
6. **Site Description.** N/A
7. **Proposed Use of Property.** N/A
8. **Traffic, Parking and Public Transit.** N/A
9. **Stormwater Management.** N/A
10. **Emergency Services:** N/A
11. **Impact.** On October 14, 2025, City Council directed City staff to initiate proceedings to amend the *Zoning Ordinance* to regulate abortion clinics. While there are currently no abortion clinics located within the City of Lynchburg, abortion clinics are currently permitted by right as an “outpatient care clinic” in the B-1, Limited Business District, B-3, Community Business District, B-4, Urban Commercial District, B-5, General Business District, IN-1, Institutional District 1, and IN-2 Institutional District 2. Currently, abortion clinics are not subject to any standards and could be located in close proximity to schools, churches, child day care centers, museums, motels, residential districts or other overlay districts, which may be incompatible, cause disharmony in a community(ies), and have other adverse effects related to the health, safety, and welfare of the City of Lynchburg and its various communities. City staff were provided a draft ordinance on October 14, 2025, which was used as the starting point for the proposed amendments. City staff made adjustments to the draft ordinance to help with enforceability and defensibility. Such adjustments were made with the approval of the patron of the original draft ordinance and are not intended to circumvent the will of City Council.

The primary differences in the draft provided by City Council and that prepared by City staff include:

- Removal of IN-1, Institutional District 1 – These districts are for small institutions, located primarily within or adjacent to residential areas. Proposed standards for abortion clinics intend to separate the use from residential districts.
- Addition of B-3, Community Business District – These districts are intended for office, retail and service uses meeting the needs of the community as a whole. They include a wide range of business uses and other uses compatible with a moderate-sized business area.

- Addition of B-5, General Business District – The B-5 district is intended to provide for a variety of commercial and similar uses that require large sites and which often produce substantial nuisance effects. The location of these districts should provide for a high level of access, relatively large amounts of level land and opportunities to shield adjacent residential districts from nuisance effects.
- Amend proposed definition of “abortion clinic” to exclude “family planning services”.
- Section 35.2-72.28, Abortion Clinics (b)3, add “motel or hotel”.
- Section 35.2-72.28, Abortion Clinics (b)4, change word “business” to “establishment”.

The proposed *Zoning Ordinance* amendments would not prohibit the establishment of an abortion clinic, yet if adopted, they would limit the zoning districts in which they may be located subject to a conditional use permit and the proposed standards.

**12. Technical Review Committee.** N/A

---

**VI. MOTION**

**Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of amending the Zoning Ordinance as provided in the proposed ordinance accompanying this recommendation and, in summary, as follows: amending Section 35.2-113, Definitions; amending Section 35.2-46.2, Authorized Uses, (B-3, Community Business District); amending Section 35.2-48.2, Authorized Uses (B-5, General Business District); amending Section 35.2-50.2, Authorized Uses (Institutional District 2); creating new Section 35.2-72.28, Abortion Clinics; and amending Appendix A, Table of Authorized Land Uses**

This matter is respectfully offered for your consideration.



Tom Martin, AICP  
Director Community Development

pc: Wynter Benda, City Manager  
Greg Patrick, Deputy City Manager  
Kent White, Assistant City Manager  
Tom Martin, Director of Community Development  
Matthew Freedman, City Attorney  
J. Lee Newland, City Engineer  
Cynthia Kozerow, Lynchburg Police Department

Candace Brown, Fire Marshal  
Doug Saunders, Building Official  
Kevin Henry, Zoning Administrator

## **VII. ATTACHMENTS**

- 1. Proposed Ordinance – Abortion Clinics**
- 2. Summary of Zoning Amendments**
- 3. Ordinance provided by City Council**

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY AMENDING SECTION 35.2-113 OF ARTICLE XI OF CHAPTER 35.2, SECTION 35.2-46.2 OF ARTICLE IV OF CHAPTER 35.2, SECTION 35.2-48.2 OF ARTICLE IV OF CHAPTER 35.2, AND SECTION 35.2-50.2 OF ARTICLE IV OF CHAPTER 35.2, CREATING A NEW SECTION 35.2-72.28 OF ARTICLE VII OF CHAPTER 35.2, AND AMENDING APPENDIX A – TABLE OF AUTHORIZED LAND USES OF ARTICLE XI OF CHAPTER 35.2; WITH ALL OF THE SAME BEING CONNECTED TO CODIFYING ZONING REGULATIONS FOR ABORTION CLINICS IN THE CITY OF LYNCHBURG, VIRGINIA.

**ORDINANCE:**

**#O-26-\_\_**

WHEREAS, prior to the adoption of this Ordinance, a public hearing was held before the Lynchburg City Council after being duly advertised on \_\_\_\_\_ and on \_\_\_\_\_ in The News & Advance.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-113 of Article XI of Chapter 35.2 as follows:

**Sec. 35.2-113. - Definitions.**

The following terms shall have the meanings established in this section unless specifically modified by provisions of the applicable section of the Zoning Ordinance.

|               |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|               | <u>1.</u> | <b><u>Abortion clinic:</u></b> means a facility, other than a hospital, where any person administers to, or causes to be taken by a woman, any drug, medicine, or any other substance other than contraceptive methods that are approved by the U.S Food and Drug Administration, or use any instrument, device, or means, with intent to knowingly destroy the life of an embryo or fetus in his or her mother's womb, but in all cases excluding family planning services.                                                                                                                                                                                                                                                                                                                                  |
| <del>1.</del> | <u>2.</u> | <b><u>Abut:</u></b> To adjoin or touch at one or more points along a common boundary.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>2.</del> | <u>3.</u> | <b><u>Accessible:</u></b> Dwellings that meet prescribed requirements for accessible housing. Mandatory requirements for accessible housing in the Department of Housing and Urban Development's program 202 and 811, section 504, and the Fair Housing Amendments Act requirements. Accessible features in dwellings include items such as wide doors, sufficient clear floor space for wheelchairs, lower countertop segments, lever and loop type handles on hardware, seats at bathing fixtures, grab bars in bathrooms, knee spaces under sinks and counters, audible and visual signals, switches and controls in easily reached locations, entrances free of steps and stairs, and an accessible route through the house. Most "accessible" features are permanently fixed in place and very apparent. |
| <del>3.</del> | <u>4.</u> | <b><u>Accessory use or accessory:</u></b><br>A use conducted on the same zoning lot as the principal use to which it is related (whether located within the same or an accessory building or other structure, or on an accessory use of land), except that, where specifically provided in the applicable regulations, accessory off-street parking or loading need not be located on the same                                                                                                                                                                                                                                                                                                                                                                                                                |

|                |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                |            | <p>zoning lot.</p> <p>A use that is clearly incidental to, and customarily found in connection with, such principal use.</p> <p>A use subordinate in area, floor area, intensity, extent and purpose to the principal use.</p> <p>A use either in the same ownership as such principal use, or operated and maintained on the same zoning lot substantially for the benefit or convenience of the owners, occupants, employees, customers or visitors of the principal use.</p> <p>When "accessory" is used in the text, it shall have the same meaning as "accessory use"</p> |
| <del>4.</del>  | <u>5.</u>  | <b>Accessory structure:</b> A structure subordinate to, and located on, the same zoning lot with a main building, the use of which is clearly incidental to that of the main building or to the principal use of the land, and which is not attached by any part of a common wall or a common roof to the main building.                                                                                                                                                                                                                                                       |
| <del>5.</del>  | <u>6.</u>  | <b>Address sign:</b> A sign displaying only the assigned address of a property or building that is attached to a building or sign structure or part thereof. An address sign shall not be included in the maximum permissible sign area of the district in which it is located.                                                                                                                                                                                                                                                                                                |
| <del>6.</del>  | <u>7.</u>  | <b>Adjacent:</b> To abut or be located on the opposite side of a right-of-way or easement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>7.</del>  | <u>8.</u>  | <b>Administrator or Zoning Administrator:</b> the official charged with the enforcement of this zoning ordinance except where responsibility is specifically delegated.                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>8.</del>  | <u>9.</u>  | <b>Agriculture:</b> Any use of land which involves the tilling of soil, the growing of crops or plant growth of any kind, or the raising of livestock or poultry for profit. "For profit" means in excess of what a household would normally grow or raise for its own use or consumption, and shall include the processing and retail sale, in a farm produce stand, or otherwise on the premises, of the products of only the farm on which such processing is conducted.                                                                                                    |
| <del>9.</del>  | <u>10.</u> | <b>Airport elevation:</b> The highest point on any usable landing surface expressed in feet above mean sea level.                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>10.</del> | <u>11.</u> | <b>Airport or air landing field:</b> Any area of land or water designated and set aside for the landing or taking-off of aircraft, the discharge or receiving of cargoes and/or passengers, or the repair, fueling or storage of aircraft.                                                                                                                                                                                                                                                                                                                                     |
| <del>11.</del> | <u>12.</u> | <b>Airport:</b> Lynchburg Regional Airport and/or Falwell Airport.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>12.</del> | <u>13.</u> | <b>Alteration:</b> Any change, modification or addition to a part of or all of the exterior of any building or structure.                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>13.</del> | <u>14.</u> | <b>Amend or amendment:</b> Any repeal, modification or addition to a regulation; any new regulation; any change in the numbers, shape, boundary, or area of a district or any repeal or abolition of any map, part thereof, or addition thereto.                                                                                                                                                                                                                                                                                                                               |
| <del>14.</del> | <u>15.</u> | <b>Antenna support structure:</b> Any building or other structure 30 feet in height or taller other than a tower which can be used for location of telecommunications facilities.                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>15.</del> | <u>16.</u> | <b>Apartment house:</b> See dwelling, multi-household.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>16.</del> | <u>17.</u> | <b>Apartment:</b> A room or suite of two or more rooms, which is designed or intended for                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

|                |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                |            | residential occupancy by, or which is occupied by, one household doing its cooking therein.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>17.</del> | <u>18.</u> | <b>Applicant:</b> Any person who applies for any development approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>18.</del> | <u>19.</u> | <b>Application or development application:</b> Means the process by which the owner, or the owner's legal representative, of a plot of land within the City submits a request to develop approval. Application includes all written documentation, verbal statements, and representations, in whatever form or forum, made by an applicant to the City concerning such a request.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>19.</del> | <u>20.</u> | <b>Approach surface:</b> A surface, whose design standards are referenced in <a href="#">section 35.2-57.3</a> , longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface, and at the same slope as the approach zone height limitation slope set forth in <a href="#">section 35.2-57.4</a> . In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>20.</del> | <u>21.</u> | <b>Approach, transitional, horizontal, and conical zones:</b> the airspace zones as set forth in <a href="#">section 35.2-57.4</a> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>21.</del> | <u>22.</u> | <b>Arcade:</b> A public or private pedestrian walkway that is open to the street and covered by the upper floors of a building front.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>22.</del> | <u>23.</u> | <b>Arterial or arterial street:</b> A public street currently classified in the comprehensive plan functional classification map as an arterial.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>23.</del> | <u>24.</u> | <b>Automobile graveyard:</b> Any lot or place which is exposed to the weather and upon which more than five motor vehicles of any kind that are incapable of being operated and which it would not be economically practical to make operative, are placed, located or found. The movement or rearrangement of vehicles within an existing lot or facility does not render this definition inapplicable. The provisions established by this definition shall begin with the first day that the vehicle is placed on the subject property.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>24.</del> | <u>25.</u> | <p><b>Automobile service station:</b> A location providing light automobile repairs as listed in LBCS functional use code 2117a. A building, lot, or both, in or upon which gasoline, oil, grease, batteries, tires and automobile accessories may be supplied and dispensed at retail, and where, in addition, the following services may be rendered and sales made, and no other:</p> <ol style="list-style-type: none"> <li>1. Sales and servicing of spark plugs, batteries, and distributors and distributor parts.</li> <li>2. Tire servicing and repair, but not recapping or regrooving.</li> <li>3. Replacement of mufflers and tail pipes, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors and the like.</li> <li>4. Radiator cleaning and flushing.</li> <li>5. Washing and polishing, and sale of automotive washing and polishing materials.</li> <li>6. Greasing and lubrication.</li> <li>7. Providing and repairing fuel pumps, oil pumps and lines.</li> <li>8. Electrical system repairs</li> <li>9. Adjusting and repairing brakes.</li> <li>10. Minor motor adjustments not involving racing the motor.</li> <li>11. Retail sales of convenience goods.</li> </ol> |

|                |            |                                                                                                                                                                                                                                                                                                                                                                                                                       |
|----------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                |            | 12. Virginia state inspection station.<br>Uses permissible at an automobile service station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition or other work involving noise, glare, fumes, smoke or other characteristics to an extent greater than normally found in service stations.                                |
| <del>25.</del> | <u>26.</u> | <b>Awning:</b> A permanent roof like structure that projects from the wall of a building, covered with any material designed and intended for protection from the weather or as a decorative embellishment including those types which can be retracted, folded, or collapsed against the face of the supporting building.                                                                                            |
| <del>26.</del> | <u>27.</u> | <b>Banner:</b> A sign consisting of a piece of fabric or any other material, other than a flag or pennant, used to advertise a business, service, product, goods, special promotion, activity or event.                                                                                                                                                                                                               |
| <del>27.</del> | <u>28.</u> | <b>Base flood:</b> The flood having a one percent chance of being equaled or exceeded in any given year.                                                                                                                                                                                                                                                                                                              |
| <del>28.</del> | <u>29.</u> | <b>Base flood elevation:</b> The Federal Emergency Management Agency designated 100-year water surface elevation.                                                                                                                                                                                                                                                                                                     |
| <del>29.</del> | <u>30.</u> | <b>Basement:</b> Any area of the building having its floor sub-grade (below ground level) on all sides.                                                                                                                                                                                                                                                                                                               |
| <del>30.</del> | <u>31.</u> | <b>Bed and breakfast or tourist home:</b> A dwelling, occupied as such, in which sleeping accommodations in less than six rooms with not more than four persons per room are provided or offered for transient guests for compensation, under the management of the occupants of that dwelling for dwelling purposes. A tourist home or bed and breakfast shall not be deemed a home occupation.                      |
| <del>31.</del> | <u>32.</u> | <b>Billboard or poster panel:</b> Any exterior sign or advertising structure or portion thereof, including any sign painted directly on any exterior wall, roof, or part of a building or other object, displaying any information other than the name and occupation of the user of the premises or the nature of the business conducted thereon or the products sold, manufactured, processed or available thereon. |
| <del>32.</del> | <u>33.</u> | <b>Block face:</b> The edge of a block fronting on a street.                                                                                                                                                                                                                                                                                                                                                          |
| <del>33.</del> | <u>34.</u> | <b>Block:</b> An area of land bounded by streets providing access to such area.                                                                                                                                                                                                                                                                                                                                       |
| <del>34.</del> | <u>35.</u> | <b>Board of Zoning Appeals:</b> The board appointed to review appeals made by individuals with regard to decisions of the Zoning Administrator in the interpretation of this ordinance as described in this ordinance and regulated by the Code of Virginia.                                                                                                                                                          |
| <del>35.</del> | <u>36.</u> | <b>Boardinghouse or lodging house:</b> A residence where the owner resides in which, for compensation, lodging, or meals, or both, are furnished to transient or non-transient guests. A boardinghouse shall not be deemed a home occupation.                                                                                                                                                                         |
| <del>36.</del> | <u>37.</u> | <b>Boarding unit or lodging unit:</b> Any building or part thereof constituting a separate, independent transient accommodation that is physically separated from other such units so as to provide secure and private temporary accommodations.                                                                                                                                                                      |
| <del>37.</del> | <u>38.</u> | <b>Buffer:</b> An area of land, including landscaping, or combination of landscaping berms, solid fences and/or walls that is located between land uses of different character and is intended to mitigate negative impacts of the more intense use.                                                                                                                                                                  |

|     |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 38  | <u>39.</u> | <b>Building, accessory:</b> A building subordinate to, and located on, the same zoning lot with a main building, the use of which is clearly incidental to that of the main building or to the principal use of the land, and which is not attached by any part of a common wall or a common roof to the main building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 39. | <u>40.</u> | <b>Building envelope:</b> The area in which a building may be constructed, which is bounded by the minimum front, side and rear setbacks and the maximum building height.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 40. | <u>41.</u> | <b>Building group:</b> A group of two or more main buildings and any buildings accessory thereto occupying a single zoning lot.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 41. | <u>42.</u> | <b>Building line or setback:</b> A line drawn parallel to a lot line at a distance therefrom equal to the depth of a required setback.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 42. | <u>43.</u> | <b>Building mounted sign:</b> A permanently attached sign, erected or painted on the outside wall, window, or door of a building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 43. | <u>44.</u> | <b>Building permit:</b> A document issued by the City of Lynchburg to permit the construction, erection of alteration of any structure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 44. | <u>45.</u> | <b>Building, height of:</b> The vertical distance measured from the level of approved street grade opposite the middle of the front of the building to the highest point of roof surface of a flat roof; to the deck line of a mansard floor; and to the mean height level between eaves and ridge of a gable, hip or gambrel roof; except as otherwise provided in <a href="#">section 35.2-61.2</a> .                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 45. | <u>46.</u> | <b>Building, main:</b> The building in which is conducted the principal use of the zoning lot on which it is situated in any residential zone; any dwelling shall be deemed to be a main building on the zoning lot on which the same is located if the lot is used primarily for residential purposes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 46. | <u>47.</u> | <b>Building, temporary:</b> Any structure which is intended to be used or occupied for only a limited time or which is not permanently supported by a foundation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 47. | <u>48.</u> | <b>Building:</b> Any structure designed or intended for support, shelter, enclosure or protection of persons, animals, chattels or property.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 48. | <u>49.</u> | <b>Business district:</b> A zoning district whose designation begins with the letter "B".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 49. | <u>50.</u> | <b>Business incubator:</b> A facility that provides start-up or emerging businesses with space and shared office equipment, support and business development services, such as management and marketing assistance, for a limited period of time. A business incubator shall meet the following criteria:<br>(1) It shall contain uses authorized in the applicable zoning district under one roof with a minimum of six tenant spaces.<br>(2) Companies housed in a business incubator shall either provide services or support to existing basic industries, or shall conduct light manufacturing or distribution businesses.<br>(3) Display rooms for retail sales shall not exceed ten percent of the gross floor area of the tenant space.<br>(4) A tenant shall not be allowed to occupy the facility for more than 48 months. |
| 50. | <u>51.</u> | <b>Caliper:</b> Trunk diameter of a tree measured six inches from the ground. If the caliper                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

|     |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     |            | is greater than four inches, the measurement is taken 12 inches from the ground.                                                                                                                                                                                                                                                                                                                                                                                       |
| 51. | <u>52.</u> | <b>Campus</b> : A designated area of land including the buildings and grounds of institutional uses such as schools, colleges, universities, senior living facilities, medical facilities and churches. A campus may be divided by public or private rights-of-way.                                                                                                                                                                                                    |
| 52. | <u>53.</u> | <b>Care center</b> : A day nursery, nursery school, day camp, summer camp or other place where reception or care is provided with or without compensation, of persons of any age and the primary use of the facility where said reception or care is provided is not a residence.                                                                                                                                                                                      |
| 53. | <u>54.</u> | <b>Cemetery</b> : A place used for the permanent commercial interment of dead bodies or the cremated remains thereof. It may be either a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments or a combination thereof.                                                                                                                                                                                  |
| 54. | <u>55.</u> | <b>Certificate of appropriateness (COA)</b> : The approval statement signed by the historic preservation commission chair and/or the secretary that certifies the appropriateness of a particular request for the construction, alteration, reconstruction, repair, restoration, or demolition of all or a part of any building or structure within a historic district, subject to the issuance of all other permits needed for the matter sought to be accomplished. |
| 55. | <u>56.</u> | <b>Certificate of Occupancy</b> : Authorization granted by the City for use of a lot or structure.                                                                                                                                                                                                                                                                                                                                                                     |
| 56. | <u>57.</u> | <b>Changeable copy sign</b> : A sign, or part of a sign, with copy that can be changed by manual, mechanical, or electronic means. Copy may not change more than once every six seconds. Changeable copy signs include electronic message centers.                                                                                                                                                                                                                     |
| 57. | <u>58.</u> | <b>Channel enclosure</b> : Continuous c-shaped metal, or similar opaque material, surrounding three-quarters of the circumference of neon tubing of a sign.                                                                                                                                                                                                                                                                                                            |
| 58. | <u>59.</u> | <b>Channel</b> : A natural or artificial depression of perceptible extent with a definite bed and banks to confine and conduct flowing water.                                                                                                                                                                                                                                                                                                                          |
| 59. | <u>60.</u> | <b>Civic uses</b> : Public or quasi-public uses serving the needs of the community that promote human interaction, such as: care centers, religious institutions, civic clubs and fraternal organizations, community swimming pools, libraries, museums, art galleries, public buildings, meeting halls, public or community recreational facilities, parks, schools and colleges.                                                                                     |
| 60. | <u>61.</u> | <b>Collector street</b> : A public street currently classified as a collector street in the functional classification map of the Comprehensive Plan.                                                                                                                                                                                                                                                                                                                   |
| 61. | <u>62.</u> | <b>Commercial amusement (temporary)</b> : A temporary outdoor amusement center, bazaar, circus, carnival, or fair, either involving use of special purpose equipment or conducted by professional operators, or both, and where activities include such things as rides, exhibitions, food service, sales or small-scale games.                                                                                                                                        |
| 62. | <u>63.</u> | <b>Commercial amusement</b> : The provision of entertainment or games of skill to the general public for a fee, including but not limited to a bowling alley, video arcade, dance hall, billiard parlor, golf driving range, skating rinks, swimming pools or miniature golf course. This use does not include circuses, carnivals, race tracks, or                                                                                                                    |

|                |            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                |            | shooting ranges.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>63.</del> | <u>64.</u> | <b>Commercial building:</b> A building used only for a commercial use.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>64.</del> | <u>65.</u> | <b>Commercial recreation:</b> The provision of entertainment or games of skill to the general public for a fee, with higher noise and safety restrictions than a commercial amusement. A facility designed or used for shooting at targets with firearms and/or archery and which is completely enclosed within a building or structure. Does not include outdoor shooting or archery ranges.                                                                                                                                                                                                                                                                                                       |
| <del>65.</del> | <u>66.</u> | <b>Commercial use:</b> Any use involving in part or in whole the storage of merchandise, sale of merchandise, materials or services, but not including home occupations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>66.</del> | <u>67.</u> | <b>Community facility use:</b> A public use in private or public ownership run on a nonprofit basis. Examples are: churches, welfare centers, voluntary hospitals, or privately-endowed museums or libraries. Facilities of private, nonprofit membership organizations for use only by members thereof are also community facilities. Examples may be country clubs, golf courses or community swimming pools.                                                                                                                                                                                                                                                                                     |
| <del>67.</del> | <u>68.</u> | <b>Comprehensive Zoning Map amendment:</b> An amendment to the official Zoning Map where any of the following conditions exist:(1) The area to be rezoned constitutes an entire neighborhood as defined in the Comprehensive Plan, or a group of such neighborhoods.(2) The area to be rezoned includes at least 400 acres of ground.(3) The area to be rezoned includes at least five lots, except where all of the said lots are included in a subdivision to be developed as a whole by one developer.                                                                                                                                                                                           |
| <del>68.</del> | <u>69.</u> | <b>Community owned:</b> Facilities owned and operated by a public, non-profit or not-for-profit entity and open to the general public.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>69.</del> | <u>70.</u> | <b>Concept Plan:</b><br>(1) A plan that establishes the general layout and intensity of proposed development in enough detail to demonstrate compliance with the applicable development approval criteria for discretionary approvals by the City Council.<br>(2) A generalized, illustrative plan for the IN-1 and IN-2 districts, indicating how off site impacts such as traffic, water and sanitary sewer availability/capacity, stormwater management, lighting and noise are mitigated and providing an assessment of existing and future development of the institution's campus, including buildings, parking areas, recreational facilities, open space and access points to City streets. |
| <del>70.</del> | <u>71.</u> | <b>Conditional use:</b> A permit to grant restricted use of property for uses other than those permitted by right.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>71.</del> | <u>72.</u> | <b>Conditional zoning or zone:</b> A zoning district or portion thereof, which has been established pursuant to provisions this Zoning Ordinance and which is subject to reasonable conditions proffered in writing by the owner of the subject property and agreed to by the City Council in a zoning map amendment to which such conditions are applicable in addition to those regulations provided for that particular zoning district, or portion thereof, by the overall Zoning Ordinance.                                                                                                                                                                                                    |
| <del>72.</del> | <u>73.</u> | <b>Conical surface:</b> An imaginary surface, whose design standards are referenced in extending and sloping horizontally and vertically from the periphery of the horizontal surface of an airport flight path.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>73.</del> | <u>74.</u> | <b>Conservation:</b> Any action designed to keep a structure, area containing structures, or                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

|     |            |                                                                                                                                                                                                                                                                                                                                                                                             |
|-----|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|     |            | places from being damaged, lost or wasted.                                                                                                                                                                                                                                                                                                                                                  |
| 74. | <u>75.</u> | <b>Construction sign:</b> A temporary sign that notifies the public of a specific building or development under construction or reconstruction or to be constructed or reconstructed within the next three months. The sign may also identify the architect, contractor, subcontractor and/or material supplier participating in construction on the property on which the sign is located. |
| 75. | <u>76.</u> | <b>Construction, start of:</b> The date the building permit was issued for new construction or substantial improvements, meaning the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date.                                                                         |
| 76. | <u>77.</u> | <b>Contributing property:</b> Those properties which by reason of form, materials, architectural details and relation to surrounding properties contribute favorably to the general character of the historic district in which they are located.                                                                                                                                           |
| 77. | <u>78.</u> | <b>Coverage, lot:</b> The proportion of a lot covered by the maximum horizontal projected area of a building and its accessory buildings, including overhangs and projections.                                                                                                                                                                                                              |
| 78. | <u>79.</u> | <b>Decorative landscape stone:</b> Stone that has natural or manmade distinguishing characteristics such as color and shape. Decorative landscape stone may be used as mulch.                                                                                                                                                                                                               |
| 79. | <u>80.</u> | <b>Delineated wetland:</b> An area delineated by the U.S. Army Corps of Engineers as a wetland.                                                                                                                                                                                                                                                                                             |
| 80. | <u>81.</u> | <b>Demolition:</b> The dismantling or tearing down of all or part of any building or structure and all operations incidental thereto.                                                                                                                                                                                                                                                       |
| 81. | <u>82.</u> | <b>Depth of lot:</b> The mean horizontal distance between the front lot line and rear lot line of a lot.                                                                                                                                                                                                                                                                                    |
| 82. | <u>83.</u> | <b>Detached building:</b> A building surrounded by yards or other open area on the same zoning lot.                                                                                                                                                                                                                                                                                         |
| 83. | <u>84.</u> | <b>Development:</b> Any man-made change to improved or unimproved real estate, including, but not limited to, the erection, placement or modification of buildings or other structures; mining, dredging, filling, grading, paving, excavation or drilling operations; storage of equipment or materials; or the establishment or expansion of a use on a site.                             |
| 84. | <u>85.</u> | <b>Development approval:</b> Any City approval required for development.                                                                                                                                                                                                                                                                                                                    |
| 85. | <u>86.</u> | <b>Development area / disturbed area:</b> All areas shown within the limits of clearing and grading on a concept plan or final site plan.                                                                                                                                                                                                                                                   |
| 86. | <u>87.</u> | <b>Development pattern:</b> See land use development pattern                                                                                                                                                                                                                                                                                                                                |
| 87. | <u>88.</u> | <b>Digital sign or electronic message center:</b> An electrically activated changeable copy sign with a variable message and/or graphic presentation capability that can be electronically programmed by computer from a remote location or at the sign. These signs typically use arrays of LED lights to create an illuminated message.                                                   |
| 88. | <u>89.</u> | <b>Directional sign:</b> An on-premises sign whose message is exclusively limited to guiding the circulation of pedestrian or vehicular traffic, such as enter, exit, or one-way.                                                                                                                                                                                                           |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>89.</del>  | <u>90.</u>  | <b>Dwelling:</b> A building containing one or more dwelling units. The term "dwelling" or any combination thereof shall not be deemed to include hotel, rooming house, motel, clubhouse, hospital or other accommodations used for more or less transient occupancy.                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>90.</del>  | <u>91.</u>  | <b>Dwelling unit:</b> One or more rooms in a residential building or in a mixed building which are arranged, designed, used or intended for use by one or more persons living together and which include lawful cooking space and lawful sanitary facilities reserved for the occupants thereof.                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>91.</del>  | <u>92.</u>  | <b>Dwelling, cluster or cluster development:</b> A development pattern defined in Article VIII of this Zoning Ordinance characterized by small lots and the retention of common open space.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>92.</del>  | <u>93.</u>  | <b>Dwelling, detached:</b> A building containing only dwelling units surrounded by yards or other open area on the same zoning lot.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>93.</del>  | <u>94.</u>  | <b>Dwelling, group:</b> A building group consisting only of dwellings occupying a parcel of land in one ownership and having any yard or service area in common.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>94.</del>  | <u>95.</u>  | <b>Dwelling, multi-household for the elderly:</b> A building or portion thereof designed for or occupied by more than two families, and all living units of which are to be maintained under single ownership or management. This shall be interpreted to include a cooperative apartment house. Provided further, that all occupants of said residential units must be (a) persons 62 years of age or older; (b) married couples either of which is 62 years of age or older; or (c) handicapped persons under 62 years of age who have physical impairments which are expected to be of long-continued or indefinite duration, and which substantially impede the ability of such person to live independently. |
| <del>95.</del>  | <u>96.</u>  | <b>Dwelling, multi-household:</b> A building or portion thereof designed for or occupied by more than two families, and all living units of which are to be maintained under single ownership or management. This shall be interpreted to include cooperative apartment houses.                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>96.</del>  | <u>97.</u>  | <b>Dwelling, semi-detached:</b> One of two buildings, arranged or designed as dwellings located on abutting lots, separated from each other by a party wall, without openings, extending from the cellar floor to the highest point of the roof along the dividing lot line, and separated from any other building or structures by space on all sides.                                                                                                                                                                                                                                                                                                                                                           |
| <del>97.</del>  | <u>98.</u>  | <b>Dwelling, single-household:</b> A building containing not more than one dwelling unit and occupied by not more than one household.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>98.</del>  | <u>99.</u>  | <b>Dwelling, townhouse, or row house:</b> One of a series of three or more attached dwelling units separated from one another by continuous vertical party walls without openings from basement floor to roof.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>99.</del>  | <u>100.</u> | <b>Dwelling, two-household (duplex):</b> A building located on one zoning lot containing not more than two dwelling units, arranged one above the other, front to back, or side by side, and occupied by not more than two households.                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>100.</del> | <u>101.</u> | <b>Easement:</b> A grant by a property owner of the use of a designated part of his land by another party for a specified purpose and for a specified time, which shall be included in the conveyance of land by such easement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>101.</del> | <u>102.</u> | <b>Eave:</b> The underside of the projection of a roof beyond the outer wall of a building.                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>102.</del> | <u>103.</u> | <b>Electrical engineer:</b> An electrical engineer licensed by the Commonwealth of Virginia.                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>103.</del> | <u>104.</u> | <b>Electronic message center (EMC):</b> see digital sign                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>104.</del> | <u>105.</u> | <b>Elevated building:</b> A non-basement building built to have the lowest floor elevated about the ground level by means of fill, solid foundation perimeter walls, pilings or columns (posts and piers).                                                                                                                                                                                                                                                                                                                      |
| <del>105.</del> | <u>106.</u> | <b>Encroachment , floodplain:</b> The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.                                                                                                                                                                                                                                                                                           |
| <del>106.</del> | <u>107.</u> | <b>Encroachment lines:</b> The lateral limits or line drawn along each side of and generally parallel to a watercourse or body of water, to preserve the flood carrying capacity of the stream or other body of water and its floodplain, and to assure attainment of the basic objective of improvement plans that may be considered or proposed. Their location along a stream should be such that the floodways between them will effectively carry and discharge a flood not less than the magnitude of the 100-year flood. |
| <del>107.</del> | <u>108.</u> | <b>Enlargement, or to enlarge:</b> An addition to the floor area of an existing building, an increase in the size of any other structure, or an increase in that portion of a tract of land occupied by an existing use. To "enlarge" is to make an enlargement.                                                                                                                                                                                                                                                                |
| <del>108.</del> | <u>109.</u> | <b>Equal degree of encroachment:</b> A standard applied in determining the location of encroachment lines so that the hydraulic capacity of floodplain lands on each side of a channel are reduced by an equal amount when calculating the increases in flood stages due to floodplain encroachments.                                                                                                                                                                                                                           |
| <del>109.</del> | <u>110.</u> | <b>Evergreen tree:</b> A tree or shrub that has foliage that persists and stays green throughout the year.                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>110.</del> | <u>111.</u> | <b>Existing tower:</b> A telecommunications tower that is in existence or is being constructed on December 9, 1997                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>111.</del> | <u>112.</u> | <b>Extension, or to extend:</b> An increase in the amount of existing floor area used for an existing use within an existing building. To "extend" is to make an extension.                                                                                                                                                                                                                                                                                                                                                     |
| <del>112.</del> | <u>113.</u> | <b>Exterior architectural features:</b> The architectural style, general design and general arrangement of the exterior of a building, structure or object, including but not limited to the kind or texture of the building material and the type and style of all windows, doors, signs and other appurtenant architectural fixtures, details, features or elements.                                                                                                                                                          |
| <del>113.</del> | <u>114.</u> | <b>Façade:</b> The outer surface of a building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <del>114.</del> | <u>115.</u> | <b>Fall zone:</b> That area within a prescribed radius (equal to the height of the tower) as measured from the base of a tower. A fall zone is based on physical phenomena that can result in a hazard beneath a tall structure and is the area within which there is a potential hazard from falling debris or collapsing material. A fall zone is distinct from a setback.                                                                                                                                                    |
| <del>115.</del> | <u>116.</u> | <b>Family day home:</b> A child day program offered in the residence of the provider or the home of any of the children in care for one through 12 children under the age of 13,                                                                                                                                                                                                                                                                                                                                                |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation and meets the requirements of Article 63.2-100 of the Code of Virginia. The term shall not include any family-type facility which provides child care to not more than five children placed by order of any court of competent jurisdiction, or by any public welfare department or other government agency having responsibility of placing children for care.                                                                                                                                                                                                                                                                                                                      |
| <del>116.</del> | <u>117.</u> | <b>Final site plan:</b> A site plan that when approved in accordance with this ordinance enables an applicant to apply for a building permit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <del>117.</del> | <u>118.</u> | <b>Fire district:</b> The territory defined and limited by the provisions of the BOCA Basic Building Code for the restriction of types of construction to ensure adequate fire protection.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>118.</del> | <u>119.</u> | <b>Flag pole:</b> A freestanding structure or a structure attached to a building or the roof of a building for the sole purpose of displaying flags.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>119.</del> | <u>120.</u> | <b>Flag:</b> Any fabric or any other flexible material attached to or designed to be flown from a flagpole or similar device.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <del>120.</del> | <u>121.</u> | <b>Flashing sign:</b> A sign that involves motion or rotation of any part of the structure, moving reflective disks, running animation or video, or displays an intermittent light or lights. Signs that display an on-premise message changed by electronic means or remote control, programmed or sequenced to change no more than once every six seconds shall not be considered a flashing sign.                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>121.</del> | <u>122.</u> | <b>Flea market:</b> A market, whether held indoors or outdoors, where antiques, used household goods, curios and similar items are sold or traded by or on behalf of multiple vendors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>122.</del> | <u>123.</u> | <b>Flood hazard area:</b> The maximum area of the 100-year floodplain (as defined in regulations for the national flood insurance program) which is likely to be flooded, or for which mudslides can be reasonably anticipated.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>123.</del> | <u>124.</u> | <b>Flood or flooding:</b><br>1. A general or temporary condition or partial or complete inundation of normally dry land areas from:<br>a. the overflow of inland or tidal waters; or,<br>b. the unusual and rapid accumulation or runoff of surface waters from any source.<br>2. The collapse or subsistence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual an unforeseeable event which results in flooding as defined in paragraph (1)a. of this definition. |
| <del>124.</del> | <u>125.</u> | <b>Floodplains:</b> The areas of land adjoining a watercourse that have in the past, or can be reasonably expected in the future, to be covered temporarily by flood waters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>125.</del> | <u>126.</u> | <b>Flood-prone area:</b> Any land area susceptible to being inundated by water from any source.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>126.</del> | <u>127.</u> | <b>Floodproofing:</b> Combinations of structural provisions, changes or adjustments to                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | properties and structures subject to flooding, primarily for the reduction or elimination of flood damages to properties, water and sanitary facilities, structures and contents of buildings in the regulatory floodplain.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>127.</del> | <u>128.</u> | <b>Floodway fringe:</b> That portion of the 100-year floodplain outside of the floodway.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>128.</del> | <u>129.</u> | <b>Floodway:</b> The channel of a river or other watercourse and those portions of the adjoining floodplains which are reasonably required to discharge the water of the 100-year flood (base flood), without causing a more than one-foot rise at any point in the City as shown in the City's flood insurance study published by the Federal Emergency Management Agency.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>129.</del> | <u>130.</u> | <p><b>Floor area:</b> The sum of the gross areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerlines of walls separating two buildings. In particular, floor area includes:</p> <ol style="list-style-type: none"> <li>1. Basement space, except such space in a basement which has at least one-third of its height below curb level, and which is located in a residential building with not more than two stories entirely above curb level.</li> <li>2. Elevator shafts or stairwells at each floor.</li> <li>3. Floor space in penthouses.</li> <li>4. Attic space (whether or not a floor has been laid) providing structural headroom of eight feet or more.</li> <li>5. Floor space in interior balconies or mezzanines.</li> <li>6. Floor space in open or roofed terraces, exterior balconies, breezeways, or porches, if more than 50 percent of the perimeter of such terrace, balcony, breezeway or porch is enclosed.</li> <li>7. Any other floor space used for dwelling purposes, no matter where located within a building, when not specifically excluded.</li> <li>8. Floor space in accessory buildings except for floor space used for accessory off-street parking.</li> </ol> <p>Floor area of a building shall not include:</p> <ol style="list-style-type: none"> <li>1. Cellar space, except that cellar space used for retailing shall be included for the purpose of calculating requirements for accessory off-street parking spaces and accessory off-street loading berths.</li> <li>2. Elevator or stair bulkheads, accessory water tanks or cooling towers.</li> <li>3. Uncovered steps.</li> <li>4. Attic space, whether or not a floor actually has been laid, providing structural headroom of less than eight feet.</li> <li>5. Floor space in open or roofed terraces, exterior balconies, breezeways or porches, provided that not more than 50 percent of the perimeter of such terrace, balcony, breezeway or porch is enclosed.</li> <li>6. Unenclosed floor space used for permitted or required accessory off-street parking spaces.</li> <li>7. Floor space used for accessory off-street loading berths.</li> <li>8. Floor space used for mechanical equipment.</li> </ol> |
| <del>130.</del> | <u>131.</u> | <b>Floor area ratio:</b> The total floor area on a zoning lot, divided by the lot area of that zoning lot. (For example, a building containing 20,000 square feet of floor area on a zoning lot of 10,000 square feet has a floor area ratio of 2.0.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>131.</del> | <u>132.</u> | <b>Floor plate:</b> The floor area of the ground floor or footprint of a building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>132.</del> | <u>133.</u> | <b>Food Establishment:</b> A business operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <del>133.</del> | <u>134.</u> | <b>Foundation planting:</b> Trees and shrubs planted along and adjacent to the perimeter of a building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>134.</del> | <u>135.</u> | <b>Freeboard:</b> A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>135.</del> | <u>136.</u> | <b>Freestanding sign:</b> A non-movable sign supported by structures or supports in or upon the ground and not attached to a building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>136.</del> | <u>137.</u> | <b>Frontage:</b> The horizontal length of the front lot line of a zoning lot abutting a public street, road, or highway, or rural right-of-way.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>137.</del> | <u>138.</u> | <b>Gambrel roof:</b> A roof gable roof, each sloping side of which has two sloping planes, with the lower plane being steeper than the upper plane (e.g., barn roof)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>138.</del> | <u>139.</u> | <b>Garden apartment units:</b> Group multiple dwellings consisting of more than one main building containing more than one unit per building for single-household occupancy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>139.</del> | <u>140.</u> | <b>Gasoline station:</b> See Automobile service station.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>140.</del> | <u>141.</u> | <b>Graphic:</b> Any logo, emblem, insignia, or text, formed by writing, drawing, painting or engraving.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>141.</del> | <u>142.</u> | <b>Ground cover:</b> Any evergreen or broadleaf plant that does not generally attain a mature height of more than one foot, characterized by a growth habit in which the plant spreads across the ground to connect with other similar plants forming a continuous vegetative cover on the ground. Sod and seeding shall be considered an appropriate ground cover.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>142.</del> | <u>143.</u> | <b>Group Home:</b> A residential facility wherein (a) the operator is not legally related to the individuals supervised and may be licensed by the state, and wherein (b) four or more individuals are provided with room, board, specialized and distinctive care, and daily supervision. For the purpose of the Zoning Ordinance, a facility providing care to less than four persons shall not be considered a group home. The term "Group Home" would include but not be limited to such groups as: foster family homes, homes for adults, abused women, individuals with mental illness, intellectual disability, or developmental disabilities, or physically handicapped. This definition does not include pre-release or post-release individuals who have been incarcerated.<br>1. A residential facility in which no more than eight individuals with mental illness, intellectual disability, or developmental disabilities reside, with one or more resident counselors or other staff persons, shall be considered for all purposes residential occupancy by a single-household. For the purposes of this section, mental illness and developmental disability shall not include current illegal use of or addiction to a controlled substance as defined in Section 54.1-3401 of the code of Virginia. No conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption shall be imposed on such facility. This type of |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | <p>residential facility shall be deemed to be any group home or other residential facility for which the department of behavioral health and developmental services is the licensing authority pursuant to this code.</p> <p>2. A residential facility, in which no more than four aged, infirm or physically disabled persons reside, with one or more resident counselors or other staff persons, shall be considered for all purposes residential occupancy by a single-household. No conditions, more restrictive than those imposed on residences occupied by persons related by blood, marriage or adoption shall be imposed on such a facility. For purposes of the Zoning Ordinance, "residential facility" means any group home or residential facility in which aged, infirm or disabled persons reside with one or more resident counselors or other staff persons and for which the Virginia department of social services is the licensing authority pursuant to the Code of Virginia.</p> |
| <del>143.</del> | <u>144.</u> | <b>Guest:</b> Any person hiring and occupying a room for sleeping purposes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>144.</del> | <u>145.</u> | <b>Hazard to air navigation:</b> An obstruction determined by the Virginia Department of Aviation or the Federal Aviation Administration to have a substantial adverse effect on the safe and efficient utilization of navigable airspace in the Commonwealth.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>145.</del> | <u>146.</u> | <b>Hazardous materials:</b> Includes any substance or material could adversely affect the safety of the public, handlers or carriers during transportation, including, but not limited to materials that require a Hazardous Materials Endorsement by the United States Patriot Act and the Virginia Department of Motor Vehicles.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>146.</del> | <u>147.</u> | <b>Heat island effect:</b> An elevated temperature over an urban area caused by pavement, buildings, other infrastructure and pollutant emissions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>147.</del> | <u>148.</u> | <b>Height of building:</b> See Building, height of.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>148.</del> | <u>149.</u> | <b>Height of sign:</b> The distance to the topmost extent of the sign structure when measured from and perpendicular to the elevation of the edge of pavement of the closest adjacent roadway on which the sign is located. In no instance shall the sign structure be required to be less than ten feet in height, except as otherwise specifically required by the Zoning Ordinance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>149.</del> | <u>150.</u> | <b>Height:</b> for the purpose of determining the height limits affected by airport operations in all zones set forth in <a href="#">section 35.2-57.4</a> and shown on the Zoning Map, the datum shall be mean sea level (M.S.L.) elevation unless otherwise specified.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>150.</del> | <u>151.</u> | <b>Helipad:</b> Landing facility for up to two helicopters that may be lit, but does not include facilities for storage, fueling or servicing of helicopters.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>151.</del> | <u>152.</u> | <b>Heliport:</b> Facilities for the landing helicopters that may include facilities for storage, servicing and/or fueling one or more helicopters at a time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>152.</del> | <u>153.</u> | <p><b>Historic area, historic place, or historic structure:</b></p> <p>1. Any structure, area containing structures, or place in which historic events occurred; or having special public value because of notable architectural or other features, relating to the cultural or artistic heritage of the community of such significance as to warrant conservation and preservation.</p> <p>2. Any structure that is:</p> <p>a. listed individually in the national register of historic places (a listing maintained by the department of the interior) as meeting the requirements for individual listing</p>                                                                                                                                                                                                                                                                                                                                                                                         |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | <p>on the national register;</p> <p>b. certified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;</p> <p>c. individually listed on a state inventory or historic places in states with historic preservation programs which have been approved by the secretary of the interior; or</p> <p>d. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:</p> <p>i. by an approved state program as determined by the secretary of the interior or</p> <p>ii. directly by the secretary of the interior in states without approved programs.</p>                                                                                                                                                                                                                                                                                   |
| <del>153.</del> | <u>154.</u> | <b>Historic building map:</b> The map of Lynchburg indicating certain structures as historic buildings.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>154.</del> | <u>155.</u> | <b>Historic district:</b> A geographically defined area consisting of public and/or private property within the City, possessing a significant concentration, linkage, or continuity of sites, buildings or structures, areas of unique architectural value, landmarks or encompassing parcels of contiguous land united by past events or aesthetically by plan or physical development. A district may also comprise individual buildings or structures separated geographically but linked by association or history. A historic district shall further mean an area designated by City Council as a historic district pursuant to the criteria established in (d)(1) of this ordinance. The historic district overlay zone defines the area in which the requirements of the historic districts ordinance shall apply. The historic district overlay zone shall be in addition to and shall overlay all other zoning districts where it is applied so that any parcel of land lying in the historic district overlay zone shall also lie within one or more of the other zoning districts provided by this ordinance. |
| <del>155.</del> | <u>156.</u> | <p><b>Home occupation:</b> An accessory use which:</p> <ol style="list-style-type: none"> <li>1. Is clearly incidental to or secondary to the residential use of a dwelling unit.</li> <li>2. Is customarily and traditionally carried on within a dwelling unit by one or more occupants of such dwelling unit, except that, in connection with the practice of a profession, one person not residing in such dwelling unit may be employed.</li> <li>3. Occupies not more than 25 percent of the total floor area of such dwelling unit, and in no event more than 500 square feet of floor area.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>156.</del> | <u>157.</u> | <b>Home owners' or property owners' association:</b> An incorporated, nonprofit organization operating under recorded land agreements through which (a) each lot and/or property owner in a planned unit or other described land area is automatically a member; and (b) each lot is automatically subject to a charge for a proportionate share of the expenses for the home association's activities, such as common property maintenance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>157.</del> | <u>158.</u> | <b>Horizontal surface:</b> An imaginary horizontal plane, whose design standards are referenced in <a href="#">section 35.2-57.3</a> above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>158.</del> | <u>159.</u> | <b>Hospitals:</b> An institution receiving in-patients and rendering medical, surgical, and/or obstetrical care to private and charity patients, and usually including research and training activities, <b>but in all cases excluding abortion clinics.</b> This shall include general hospitals and institutions in which service is limited to special fields, such as                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | cardiac, eye, ear, nose and throat, pediatric, orthopedic, skin and cancer, tuberculosis, chronic disease and obstetrics. Hospital patients generally require intensive care for periods generally not exceeding several months.                                                                                                                                                                                                                                                                                                                                                                        |
| <del>159.</del> | <u>160.</u> | <b>Hotel:</b> A building or part thereof containing five or more guest rooms, without kitchens, where lodging is provided for compensation, excluding a fraternity or sorority house, a school or college dormitory, or a tourist home.                                                                                                                                                                                                                                                                                                                                                                 |
| <del>160.</del> | <u>161.</u> | <b>Household:</b> The occupants of a single dwelling unit, which shall not exceed three unrelated individuals unless otherwise permitted by this Zoning Ordinance.                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>161.</del> | <u>162.</u> | <b>Identification sign:</b> A sign that is permanently attached to or painted on a building and contains only the building name. (Example, the "Allied Arts" Building.) Identification signs shall not be included in the maximum permissible sign area of the district in which it is located.                                                                                                                                                                                                                                                                                                         |
| <del>162.</del> | <u>163.</u> | <b>Illegal use:</b> Any use, whether of a building or other structure or of a tract of land, in which a violation of any provision of the Zoning Ordinance has been committed or shall exist.                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>163.</del> | <u>164.</u> | <b>Illuminated sign:</b> A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>164.</del> | <u>165.</u> | <b>Industrial district:</b> Includes the I-1, I-2 and I-3 zoning districts.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>165.</del> | <u>166.</u> | <b>Institutional district:</b> Any district whose designation begins with the letters IN".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>166.</del> | <u>167.</u> | <b>Inflatable item:</b> Any item that is capable of being expanded by air, water or other means that exceeds 24 inches in diameter, used to advertise a business, service, product, goods, special promotion, activity or event.                                                                                                                                                                                                                                                                                                                                                                        |
| <del>167.</del> | <u>168.</u> | <b>Inventory, historic:</b> The inventory of historic landmarks, buildings and structures as prepared by the board of historic and architectural review.                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>168.</del> | <u>169.</u> | <b>Junk yard:</b> The use of any space, whether inside or outside a building, for the abandonment, storage, keeping, collection, disassembling or bailing of paper, rags, scrap metal, or other scrap or discarded materials, or for the abandonment, demolition, dismantling, or salvaging of automobiles or other vehicles or machinery or parts thereof; provided, that this definition shall not apply to any such use conducted solely as an accessory use and occupying not more than 100 square feet of the area of any lot other than any portion of that half thereof that adjoins any street. |
| <del>169.</del> | <u>170.</u> | <b>Kennel:</b> Any building, enclosure, structure, establishment and/or land where dogs, cats, household pets or any other domestic animals are sheltered, fed or watered, groomed, shown, trained, bred, boarded and exercised, cared for or sold for either commercial gain or in exchange for a fee.                                                                                                                                                                                                                                                                                                 |
| <del>170.</del> | <u>171.</u> | <b>Land Use Development Pattern or Development Pattern:</b> One or more uses arranged to create a specific type of development that are defined in Article VIII of this ordinance and that may be allowed by right or conditional use permit pursuant to LBCS classifications 9950 et. seq.                                                                                                                                                                                                                                                                                                             |
| <del>171.</del> | <u>172.</u> | <b>Land with minor improvements:</b> For purposes of the City's floodplain regulations, a tract of land which:<br>1. Does not include any building or other structure.                                                                                                                                                                                                                                                                                                                                                                                                                                  |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | 2. Includes a building or other structure with a floor area of less than 400 square feet.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>172.</del> | <u>173.</u> | <b>Landscape island:</b> An area containing a shade tree and other required landscaping not less than 108 square feet for a parking row or 216 square feet for a parking bay.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>173.</del> | <u>174.</u> | <b>Large deciduous tree.</b> A large deciduous tree shall be of a species having an average minimum mature crown spread of greater than 30 feet. A minimum caliper of at least two and one-half inches at the time of planting shall be required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>174.</del> | <u>175.</u> | <b>Large farm animal.</b> An animal with an adult weight of 50 pounds or more that may be kept for agricultural purposes, including, but not limited to horses, cattle, goats, llamas, alpacas, ostriches, emus, ponies and bison, but not including dogs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>175.</del> | <u>176.</u> | <b>Large scale retail establishment:</b> retail establishments having a cumulative gross floor area of 75,000 square feet or greater in floor area, whether such gross floor area is contained entirely within a freestanding building or is within two or more buildings, whether located on a single lot or contiguous lots owned or operated as associated, integrated or cooperative business enterprises.                                                                                                                                                                                                                                                                                                                                                   |
| <del>176.</del> | <u>177.</u> | <b>Level of Service (LOS):</b> A scale that measures the amount of traffic that a roadway or intersection can effectively and efficiently accommodate, based on such factors as volume, capacity, queues and delay. LOS is graded on a scale of A through F, where LOS-A is free-flowing traffic and LOS-F is a condition where traffic flow is unstable and excessive delay and queuing is expected.                                                                                                                                                                                                                                                                                                                                                            |
| <del>177.</del> | <u>178.</u> | <b>Limited Access Highway or Freeway:</b> A public highway to which access is forbidden except at interchanges with other public highways and, in some cases, at specially designed facilities providing automobile, restaurant and other similar services to motorists using the highway.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>178.</del> | <u>179.</u> | <b>Limited time:</b> A period of time assumed to be not more than one year unless otherwise specified by the Zoning Ordinance or development approval.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>179.</del> | <u>180.</u> | <b>Loading berth:</b> A space measuring at least ten feet wide by 35 feet long that is used for the loading or unloading of vehicles.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>180.</del> | <u>181.</u> | <b>Local street:</b> A public street not classified as a freeway, arterial or collector street under the definitions in this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>181.</del> | <u>182.</u> | <b>Lodging house:</b> See Boardinghouse.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>182.</del> | <u>183.</u> | <b>Logo:</b> Any emblem used as the symbol of an organization, or residential or nonresidential community. A logo may include a graphic, text, or both.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>183.</del> | <u>184.</u> | <b>Lot:</b><br>1. A lot of record existing on the effective date of the Zoning Ordinance or any applicable subsequent amendment thereto.<br>2. A tract of land, either unsubdivided or consisting of two or more contiguous lots of record, located within a single block which on the effective date of the Zoning Ordinance or any applicable amendment thereto was in single ownership or control.<br>3. A tract of land located within a single block, which at the time of filing for a Building Permit (or, if no Building Permit is required, at the time of filing for a Certificate of Occupancy), is designated by its owner or developers as a tract all of which is to be used, developed or built upon as a unit under single ownership or control. |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>184.</del> | <u>185.</u> | <b>Lot area per dwelling unit:</b> That portion of the lot area required for each dwelling unit located on a zoning lot.                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>185.</del> | <u>186.</u> | <b>Lot area:</b> The area of a lot; provided, that if that lot includes any part of the area of a street closed subsequent to the effective date of the Zoning Ordinance, not more than one-half the area of such closed street shall be counted as lot area for purposes of determining the maximum floor area ratio or the required lot area per dwelling unit or lot area per room for such zoning lot.                                                                                                                            |
| <del>186.</del> | <u>187.</u> | <b>Lot, corner:</b> Either a lot bounded by streets on two or more sides or a lot in which the interior angle formed by the extensions of the street lines in the directions which they take at their intersections with lot lines other than street lines forms an angle of 135 degrees or less.                                                                                                                                                                                                                                     |
| <del>187.</del> | <u>188.</u> | <b>Lot coverage:</b> See Coverage, lot.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>188.</del> | <u>189.</u> | <b>Lot depth:</b> See Depth of lot.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>189.</del> | <u>190.</u> | <b>Lot, interior:</b> Any lot neither a corner lot nor a through lot.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <del>190.</del> | <u>191.</u> | <b>Lot line, front:</b> A street line determined by the Zoning Administrator to be the front of the lot based on prevailing lot patterns and lot dimensions.                                                                                                                                                                                                                                                                                                                                                                          |
| <del>191.</del> | <u>192.</u> | <b>Lot line, rear:</b> The lot line, opposite or furthest from the front lot line. For triangular lots, the rear lot line shall be the lot line that does not follow a street right-of-way.                                                                                                                                                                                                                                                                                                                                           |
| <del>192.</del> | <u>193.</u> | <b>Lot line, side:</b> Any lot line that is not a front lot line or a rear lot line.                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>193.</del> | <u>194.</u> | <b>Lot line:</b> A boundary of a lot.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <del>194.</del> | <u>195.</u> | <b>Lot of record:</b> A lot which is part of a subdivision recorded in the office of the City clerk, or a lot or parcel described by metes and bounds, the description of which has been so recorded.                                                                                                                                                                                                                                                                                                                                 |
| <del>195.</del> | <u>196.</u> | <b>Lot width:</b> The horizontal distance between the side lot lines of a zoning lot at the building line.                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>196.</del> | <u>197.</u> | <b>Lot, through:</b> Any lot, not a corner lot, which adjoins two streets that are parallel or within 45degrees of being parallel to each other.                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>197.</del> | <u>198.</u> | <b>Low explosives:</b> Substances that deflagrate (burn) rather than detonate (explode). These are primarily used as propellants. The cut-off speed between high and low explosives is 3,300 fps (feet per second). An example of a low explosive is black powder. High explosives are designed to shatter (brisance) rather than push. Detonation velocities for high explosives range from 3,300 fps to 29,900 fps. Blasting caps, dynamite, TNT, plastic explosives, binaries and blasting agents are examples of high explosives. |
| <del>198.</del> | <u>199.</u> | <b>Lowest floor:</b> The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR §60.3.                                                                   |
| <del>199.</del> | <u>200.</u> | <b>Lumen per Square Foot:</b> a measure of illuminance equal to one foot-candle                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>200.</del> | <u>201.</u> | <b>Lynchburg commercial historic districts design review guidelines:</b> A publication adopted by City Council, that gives detailed guidance to property owners of the commercial historic districts who are contemplating changes or additions to their building or property; and assists the historic preservation commission by providing them with minimum standards to guide their decision making. All future editions of the commercial guidelines document and all amendments thereto are automatically adopted and incorporated into the City code.                                                                                                                                        |
| <del>201.</del> | <u>202.</u> | <b>Lynchburg residential historic districts design review guidelines:</b> A publication adopted by City Council, that gives detailed guidance to property owners of the residential historic districts who are contemplating changes or additions to their building or property; and assists the historic preservation commission by providing them with minimum standards to guide their decision making. All future editions of the residential guidelines document and all amendments thereto are automatically adopted and incorporated into the City code.                                                                                                                                     |
| <del>202.</del> | <u>203.</u> | <b>Mansard roof:</b> A roof having two slopes on all sides with the lower slope steeper than the upper one                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>203.</del> | <u>204.</u> | <b>Manufactured home:</b><br>1. A structure, transportable in one or more sections that is certified as complying with HUD's "Manufactured Home Construction and Safety Standards," which is built after 1978 on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities.<br>d2. For floodplain management purposes the term "manufactured home" also includes mobile homes, park trailers, travel trailers and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles. |
| <del>204.</del> | <u>205.</u> | <b>Manufactured home park or subdivision:</b> A parcel (or contiguous parcels) of land divided into two or more manufactured home spaces or lots for rent or sale.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>205.</del> | <u>206.</u> | <b>Market for agricultural products:</b> A market selling produce, or other edible products made from and entirely processed on the site of an agricultural operation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>206.</del> | <u>207.</u> | <b>Medical or dental clinics:</b> Any building or group of buildings occupied by two or more medical or dental practitioners, <b>but in all cases excluding abortion clinics</b> , for the purpose of providing health services to people on an out-patient basis.                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>207.</del> | <u>208.</u> | <b>Medical practitioner:</b> A licensed physician, dentist, osteopath, chiropractor, chiropodist (podiatrist). psychologist or optometrist (but not optician).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>208.</del> | <u>209.</u> | <b>Medium shrubs.</b> Shrubs and hedge forms having a minimum height of at least two feet at the time of planting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>209.</del> | <u>210.</u> | <b>Metes and bounds:</b> The specific boundaries of an area as measured between geographical points.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>210.</del> | <u>211.</u> | <b>Minor map amendment:</b> A change in the official Zoning Map that is not included in the definition of comprehensive Zoning Map amendment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>211.</del> | <u>212.</u> | <b>Mobile food cart:</b> A mobile food establishment that is up to ten feet long and five feet wide and is designed to be pushed by hand or pedaled.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>212.</del> | <u>213.</u> | <b>Mobile food trailer:</b> A mobile food establishment that is less than 20 feet long by eight feet wide and is designed to be towed behind a vehicle and capable of vending foods without being connected to another vehicle.                                                                                                                                                                                                      |
| <del>213.</del> | <u>214.</u> | <b>Mobile food truck:</b> A self-propelled food establishment that is up to 26 feet long and eight feet wide.                                                                                                                                                                                                                                                                                                                        |
| <del>214.</del> | <u>215.</u> | <b>Mobile Food Vehicle:</b> A Food Establishment that is located upon a vehicle including cars, trucks, carts, motorcycles and bicycles, or which is pulled by a vehicle, where food or beverage is cooked, prepared, or served for individual portion service. This definition includes but is not limited to: mobile food kitchens, pushcart vendors, bicycle cart vendors, mobile food trucks, canteen trucks, and coffee trucks. |
| <del>215.</del> | <u>216.</u> | <b>Mobile Home:</b> A structure built on a permanent chassis that is designed for use with or without a permanent foundation that does not comply with the HUD's Manufactured Home Construction standards or that was built prior to 1978.                                                                                                                                                                                           |
| <del>216.</del> | <u>217.</u> | <b>Modified sign:</b> A sign that is allowed to deviate from the standards set forth in the Zoning Ordinance pursuant to a certificate of appropriateness issued by the historic preservation commission.                                                                                                                                                                                                                            |
| <del>217.</del> | <u>218.</u> | <b>Modular home or industrialized building:</b> A prefabricated homes or industrialized buildings that consist of one or more sections that do not have axles or frames and typically are transported to their site by means of flat-bed trucks.                                                                                                                                                                                     |
| <del>218.</del> | <u>219.</u> | <b>Monument sign:</b> A permanent structure built on-grade in which the sign and the structure are an integral part of one another, not a pole(s) mounted sign.                                                                                                                                                                                                                                                                      |
| <del>219.</del> | <u>220.</u> | <b>Motel or tourist cabin:</b> A building or group of buildings containing ten or more guest rooms or suites designed or intended to be used, let or hired out which:<br>1. Contain living or sleeping accommodations used primarily for transient occupancy.<br>2. Have individual entrances from outside the building to serve each such living or sleeping unit.                                                                  |
| <del>220.</del> | <u>221.</u> | <b>Mulch:</b> A protective covering, usually of organic matter placed around plants to prevent evaporation, root freezing and weed growth.                                                                                                                                                                                                                                                                                           |
| <del>221.</del> | <u>222.</u> | <b>Mural:</b> A painting, fresco, or mosaic applied to a wall for the sole purposes of decoration or artistic expression. A mural is not considered a sign unless it includes words or graphics that advertise the products or service of any entity.                                                                                                                                                                                |
| <del>222.</del> | <u>223.</u> | <b>Naturalized planting area:</b> Any area planted for bio-retention containing native or indigenous species that mimics local natural surroundings and is allowed to grow undisturbed. Naturalized planting areas require minimal maintenance.                                                                                                                                                                                      |
| <del>223.</del> | <u>224.</u> | <b>Neighborhood norm:</b> A measure of the average or typical setbacks along two opposing block faces or for three abutting lots (see <a href="#">Section 35.2-61.3(f)</a> )                                                                                                                                                                                                                                                         |
| <del>224.</del> | <u>225.</u> | <b>Neon tubing:</b> A vacuum tight transparent tube not exceeding one inch in diameter containing, but not limited to neon, argon, helium, xenon, or krypton that produces light when connected to an electrical current.                                                                                                                                                                                                            |
| <del>225.</del> | <u>226.</u> | <b>New construction:</b><br>1. Any construction within a historic district that is independent and exclusive of an existing building or structure or part thereof in the historic district.                                                                                                                                                                                                                                          |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | 2. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by the City.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>226.</del> | <u>227.</u> | <b>Non-conforming use:</b> any preexisting structure or object of natural growth that is inconsistent with the provisions of this section or any amendment to this section.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>227.</del> | <u>228.</u> | <b>Non-contributing property:</b> A property so designated on the inventory map of historic districts and properties which are adopted as a part of this ordinance, being generally those properties which by reason of age, condition, amount of alterations, form, materials, architectural details and relation to surrounding properties do not contribute favorably to the general character of the part of the historic district in which they are located.                                                                                                                                                                                                                                                                                                                                                                               |
| <del>228.</del> | <u>229.</u> | <b>Nonconforming:</b> Any lawful use, whether of a building or other structure or of a tract of land, which does not conform to the applicable use regulations of the district in which it is located, either on the effective date of the Zoning Ordinance, or as a result of any subsequent amendment thereto.<br>A nonconforming use shall result from failure to conform to the applicable district regulations on either permitted uses or performance standards. However, no existing use shall be deemed nonconforming solely because of any of the following:<br>1. The existence of less than the required accessory off-street parking spaces or loading berths.<br>2. The existence of nonconforming accessory signs.                                                                                                                |
| <del>229.</del> | <u>230.</u> | <b>Normal business hours:</b> means those hours during which most businesses in the community are open to serve customers, which shall be considered from 8:00 a.m. to 6:00 p.m. unless otherwise specified herein.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>230.</del> | <u>231.</u> | <b>Nursing homes:</b> Rest homes and convalescent homes devoted primarily to the maintenance and operation of residential facilities for the treatment and care of any persons suffering from illnesses, diseases, deformities or injuries not requiring the intensive care that is normally provided by hospitals, but do require care in excess of room and board and who need medical, nursing, convalescent or chronic care. Institutions primarily for the treatment and care of mental patients, alcoholics or drug addicts, and facilities serving less than four persons shall not, for the purpose of the Zoning Ordinance, be considered to be a nursing home. (See also Medical clinics, Hospitals and Sanatorium).                                                                                                                  |
| <del>231.</del> | <u>232.</u> | <b>Obstruction:</b><br>1. For purposes of floodplain regulations, any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter in, along, across or projecting into any channel, watercourse or flood hazard area which may impede, retard or change the direction of flow of water, either in itself or by catching or collecting debris carried by such water or that is placed where the flow of water might carry the same downstream to the damage of life or property.<br>2. For purposes of airport overlay zoning, any structure, or other object, including a mobile object, which exceeds a limiting height, or penetrates any surface or zone floor, set forth in <a href="#">section 35.2-57.4</a> . |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>232.</del> | <u>233.</u> | <b>Off-site directional sign:</b> A sign that directs traffic to a site other than the site on which the sign is located.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>233.</del> | <u>234.</u> | <b>Off-street loading berth:</b> A space for temporarily parking vehicles for loading or unloading that measures at least 30 feet in length by 12 feet wide and having at least 14 feet of clearance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>234.</del> | <u>235.</u> | <b>Official Zoning Map:</b> That map dividing the City into specific zones or districts.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>235.</del> | <u>236.</u> | <b>One hundred year flood (base flood):</b> A flood that has one (1) chance in 100 or a one percent chance of being equaled or exceeded in any given year.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>236.</del> | <u>237.</u> | <b>Open Space:</b> Any land or area, the preservation of which would: conserve and enhance scenic resources, protect streams, promote conservation of soils or provide for passive or active recreational space. Open spaces may include plaza areas, provided they contain a landscaped component. Required setback areas may be included in the computation of required open space.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>237.</del> | <u>238.</u> | <b>Opinion sign:</b> A sign which does not advertise products, goods, businesses, or services, and which expresses an opinion or other point of view.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>238.</del> | <u>239.</u> | <b>Ornamental tree:</b> Deciduous tree that grows to a mature height of less than 30 feet with flowering or other distinguishing characteristics.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>239.</del> | <u>240.</u> | <b>Outdoor storage:</b><br>1. For residential properties, anything that is not normally found in residential yards and on porches, including, but not limited to indoor furniture, construction materials, auto parts, appliances and the clutter of various personal items, inoperable vehicles or stacks of containers in plain view. Equipment regularly used for lawn maintenance, outdoor furniture, children's toys, bicycles and neatly stacked firewood are not generally considered to be outdoor storage, however an excess of those items, or equipment in disrepair may be considered illegal outdoor storage.<br>2. For non-residential and mixed-use properties, the outdoor storage includes the storage of goods, materials, inoperable vehicles, appliances or other materials that are not a specifically authorized outdoor display. |
| <del>240.</del> | <u>241.</u> | <b>Outparcel:</b> A parcel located on the outside perimeter of a commercial development fronting a right of way.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>241.</del> | <u>242.</u> | <b>Owner:</b> means any person with fee simple title to any plot of land within the City who desires to develop, construct, build, modify, or erect a tower upon such land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>242.</del> | <u>243.</u> | <b>Parapet wall:</b> A wall that extends above the top of a flat roof or flat portion of a roof.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>243.</del> | <u>244.</u> | <b>Parcel:</b> is considered to be that plot of land described by property lines. When multiple parcels are owned and used by the same party, the grouping may be considered to constitute the parcel.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>244.</del> | <u>245.</u> | <b>Parking area, off-street:</b> An off-street area containing one or more parking spaces, with passageways and driveways appurtenant thereto. In general, there shall be an average of at least 300 square feet of parking area per parking space and the required number of usable parking spaces.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>245.</del> | <u>246.</u> | <b>Parking bay:</b> Two parking rows abutting one another or separated by ten feet or less.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>246.</del> | <u>247.</u> | <b>Parking garages:</b> A building occupied by a public, community, commercial or private                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | establishment providing space for the temporary storage of six or more automobiles and other vehicles, where service or repair facilities are not permitted. A parking garage shall not be considered an accessory use, nor shall it be used for the storage of dismantled or wrecked motor vehicles, parts thereof, or junk, nor shall the sale of automobiles or trailers take place within it unless otherwise permitted by the Zoning Ordinance.                                                |
| <del>247.</del> | <u>248.</u> | <b>Parking lot:</b> An open lot serving the functions defined above for a parking garage.                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>248.</del> | <u>249.</u> | <b>Parking row:</b> One single line of parking spaces.                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>249.</del> | <u>250.</u> | <b>Parking space:</b><br>1. An off-street space available for the parking of one motor vehicle on a transient basis and having a minimum width of nine feet and an area of not less than 162 square feet, exclusive of passageways and driveways appurtenant thereto and having direct usable access to the street.<br>2. An on-street space available for the parking of one motor vehicle on a transient basis, having a minimum width of nine feet and an area of not less than 162 square feet. |
| <del>250.</del> | <u>251.</u> | <b>Pedestrian facility:</b> A sidewalk, walking path, bike path or transit/shuttle stop.                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>251.</del> | <u>252.</u> | <b>Pennant:</b> Any lightweight plastic, fabric or other similar material, whether or not containing copy suspended from a rope, wire, or string, usually in series, designed to move in the wind.                                                                                                                                                                                                                                                                                                  |
| <del>252.</del> | <u>253.</u> | <b>Permanent sign:</b> Any sign attached to the ground or any structure, intended to exist for the life of the structure or use, and which cannot be removed without involving any structural or support changes.                                                                                                                                                                                                                                                                                   |
| <del>253.</del> | <u>254.</u> | <b>Permeable or Porous:</b> Capable of allowing water to be conducted through a material, as in permeable surfaces such as grass or soils and porous pavement.                                                                                                                                                                                                                                                                                                                                      |
| <del>254.</del> | <u>255.</u> | <b>Person:</b> Except as provided in <a href="#">section 35.2-60.2(e)</a> a person is any natural person, firm, partnership, association, corporation, company, or other legal entity, private or public, whether for profit or not for profit.                                                                                                                                                                                                                                                     |
| <del>255.</del> | <u>256.</u> | <b>Phasing Plan:</b> A plan for the development in more than one stage or phase in accordance with <a href="#">section 35.2-11.4</a> .                                                                                                                                                                                                                                                                                                                                                              |
| <del>256.</del> | <u>257.</u> | <b>Planned unit development or PUD:</b> A multiple-unit residential development of at least five acres arranged in harmony with purposes, provisions and procedures for the planned unit development.                                                                                                                                                                                                                                                                                               |
| <del>257.</del> | <u>258.</u> | <b>Pole mounted sign:</b> A sign that is mounted on one or more freestanding poles or similar supports.                                                                                                                                                                                                                                                                                                                                                                                             |
| <del>258.</del> | <u>259.</u> | <b>Political sign:</b> A temporary sign promoting the candidacy of a person running for a governmental office or promoting a position on an issue to be voted on at a government election.                                                                                                                                                                                                                                                                                                          |
| <del>259.</del> | <u>260.</u> | <b>Porch:</b> an area elevated above grade that adjoins an entry to a building that may be covered or open.                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>260.</del> | <u>261.</u> | <b>Portable sign:</b> A sign which is movable without involving any structural or support changes, not permanently attached to the ground, a structure or any other sign not                                                                                                                                                                                                                                                                                                                        |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | an integral part of a building to which it is accessory. This category includes, but is not limited to, an A-frame sign, a sign attached to or placed on a vehicle, which is used primarily for the purpose of display, and similar devices used to attract attention. This shall not include bumper stickers or identification signs directly applied to or painted on vehicles identifying the owner of the vehicle, a business name, logo or emblem.                                                                                                                                                                                                                                                                               |
| <del>261.</del> | <u>262.</u> | <b>Preservation:</b> Any activity designed to prevent deterioration or destruction of a structure, a group of structures, or an area or a district.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>262.</del> | <u>263.</u> | <b>Primary surface:</b> An imaginary surface, whose design standards are referenced in <a href="#">section 35.2-57.3</a> longitudinally centered on an airport runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>263.</del> | <u>264.</u> | <b>Private recreational facilities:</b> A facility such as a swimming pool, tennis court or basketball court which is an accessory use located on a residential lot, the use of which is restricted to the occupants of the principal use and guests for whom no admission or membership fees are charged.                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>264.</del> | <u>265.</u> | <b>Programmed:</b> For the purposes of the Zoning Ordinance, the word "programmed" shall refer to a public facility which has been formally scheduled for construction within the following ten years. Such formal scheduling may be in terms of an approved capital improvements program, an officially adopted thoroughfare, public utilities or community facilities plan specifying the approximate date of construction of the facility, or a similar official plan or program.                                                                                                                                                                                                                                                  |
| <del>265.</del> | <u>266.</u> | <b>Projecting sign:</b> A sign that is attached to and projects at an angle and extends more than 15 inches from the face of the wall of a building.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>266.</del> | <u>267.</u> | <b>Property ownership:</b> For purposes of the occupancy requirements of this ordinance, the owner who resides on the lot shall be:<br>a. An individual who owns at least a 50 percent interest in the lot by deeded title and who resides on the lot as his or her primary residence; or<br>b. An individual who owns at least a 50 percent interest in a corporation, a limited liability company, or a similar legal entity that owns a 100 percent interest in the lot by deeded title and who resides on the lot as his or her primary residence; or<br>c. An individual who is a beneficiary of a trust that owns a 100 percent interest in the lot by deeded title and who resides on the lot as his or her primary residence. |
| <del>267.</del> | <u>268.</u> | <b>Public utility:</b> A public utility is an activity, or a building housing such an activity, which operates to serve the community as a whole, or a portion of the community, which is publicly run or subject to special government controls and which is overseen by the State Corporation Commission.                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>268.</del> | <u>269.</u> | <b>Public:</b> Any land, structure or building owned, used or maintained by the City government, or a regional authority of which the City is a member, or their agencies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>269.</del> | <u>270.</u> | <b>Radio frequency engineer:</b> means a professional engineer licensed by the Commonwealth of Virginia with appropriate documented expertise in radio frequency engineering.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <del>270.</del> | <u>271.</u> | <b>Raising:</b> Providing vertical clearance under tree canopy by using appropriate pruning techniques.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>271.</del> | <u>272.</u> | <b>Re-facing:</b> The replacement of a sign face, regardless of change in copy, of equal size to the original, without altering the sign box, sign frame or sign structure.                                                                                                                                                                                                                                                              |
| <del>272.</del> | <u>273.</u> | <b>Reach:</b> Longitudinal segments of a river or stream, which will be affected by the placement of an obstruction in a floodway or floodway fringe.                                                                                                                                                                                                                                                                                    |
| <del>273.</del> | <u>274.</u> | <b>Real estate sign:</b> A temporary sign used to offer property for sale, lease, rent and/or development or to advertise an open house.                                                                                                                                                                                                                                                                                                 |
| <del>274.</del> | <u>275.</u> | <b>Reconstruction:</b> Any activity designed to rebuild entirely, or partially, a structure.                                                                                                                                                                                                                                                                                                                                             |
| <del>275.</del> | <u>276.</u> | <b>Recreation facility, active:</b> A field, court building or other structure designed for a specific range of sports or other physical activities, including but not limited to ball fields, tennis courts, swimming pools, gyms and other indoor athletic facilities and playground equipment.                                                                                                                                        |
| <del>276.</del> | <u>277.</u> | <b>Recreation facility, passive:</b> An open field, woods, trail or other public open space that may be used for a wide range of activities, including, but not limited to hiking, biking, picnicking or playing a variety of different sports. Passive recreation facilities may include picnic tables, water fountains and surfaced trails, but do not include buildings or structures devoted to limited ranges of sports activities. |
| <del>277.</del> | <u>278.</u> | <b>Recreational vehicle:</b><br>A vehicle which is:<br>1. built on a single chassis;<br>2. Four hundred square feet or less when measured at the largest horizontal projection;<br>3. designed to be self-propelled or permanently towable by a light duty truck; and,<br>4. designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational camping, travel or seasonal use.                 |
| <del>278.</del> | <u>279.</u> | <b>Regulatory flood protection level:</b> That level delineated by the one hundred year flood.                                                                                                                                                                                                                                                                                                                                           |
| <del>279.</del> | <u>280.</u> | <b>Rehabilitation:</b> Any activity designed to place a structure into a usable condition with or without architectural change.                                                                                                                                                                                                                                                                                                          |
| <del>280.</del> | <u>281.</u> | <b>Religious Institution:</b> A church, synagogue, temple, mosque, convent, monastery or other place of worship                                                                                                                                                                                                                                                                                                                          |
| <del>281.</del> | <u>282.</u> | <b>Related People:</b> Related individuals include people who are related by blood, are married to each other or are in a substantially similar relationship, and children under their care.                                                                                                                                                                                                                                             |
| <del>282.</del> | <u>283.</u> | <b>Renovation:</b> Any activity relating to the updating and/or the modernization of an older structure involving architectural change.                                                                                                                                                                                                                                                                                                  |
| <del>283.</del> | <u>284.</u> | <b>Repairs in like material and like design:</b> Any work or all work involving the replacement of existing material with equivalent material for the purpose of maintenance, but not including any addition, change or modification in construction design.                                                                                                                                                                             |
| <del>284.</del> | <u>285.</u> | <b>Residence:</b><br>1. A building or part of a building containing dwelling units or rooming units, including single-household or two-household houses, multiple dwellings, boarding or rooming                                                                                                                                                                                                                                         |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | <p>houses or apartment hotels. Residences do not include the following:</p> <ul style="list-style-type: none"> <li>a. Such transient accommodations as transient hotels, motels, tourist cabins or trailer courts.</li> <li>b. Dormitories, fraternity or sorority houses, monasteries or convents.</li> <li>c. In a mixed building, that part of the building used for any nonresidential uses, except accessory to residential uses.</li> </ul> <p>2. For the purposes of determining setback and/or height requirements for IN-1 District, a residence shall not include any properties owned, leased, or used by the institution regardless of zoning or land use.</p> |
| <del>285.</del> | <u>286.</u> | <b>Residence, single-household:</b> A building containing only one (1) dwelling unit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>286.</del> | <u>287.</u> | <b>Residential:</b> Pertaining to one or more residences.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>287.</del> | <u>288.</u> | <b>Residential district:</b> Any district whose designation begins with the letter "R".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>288.</del> | <u>289.</u> | <b>Residential Street:</b> any local City street where the majority of land use on one or both sides of the street within the block is residential.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>289.</del> | <u>290.</u> | <b>Restoration:</b> Any or all work connected with the returning to or restoring of a building, or part of any building, to its original condition through the use of original or nearly original materials.                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>290.</del> | <u>291.</u> | <b>Retail establishment:</b> A commercial enterprise that provides a combination of goods and/or services directly to the consumer, where the principal use is providing goods that are available for immediate small quantity purchase and removal from the premises by the purchaser.                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>291.</del> | <u>292.</u> | <b>Riding stable:</b> Any zoning lot used or designed for the boarding, breeding or care of horses or ponies, other than for farming or agricultural purposes, either with or without instruction in riding.                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>292.</del> | <u>293.</u> | <b>Riprap:</b> A permanent, large, loose angular stone generally used for erosion and sediment control in concentrated high velocity flow areas.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>293.</del> | <u>294.</u> | <b>Roof sign:</b> A sign installed or constructed upon or above a roof.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>294.</del> | <u>295.</u> | <b>Rooming house:</b> A dwelling consisting of on single building in which, for compensation, lodging or meals, or both, are furnished to transient or non-transient guests. A rooming house shall not be deemed a home occupation.                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>295.</del> | <u>296.</u> | <b>Runway:</b> A specified area on an airport prepared for landing and takeoff of aircraft.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>296.</del> | <u>297.</u> | <b>Sanitary or solid waste management facility, private:</b> A sanitary or solid waste management facility that is not a public sanitary or solid waste management facility, and which is owned and operated by a private entity for the purpose of handling sanitary or solid waste generated only by such private entity.                                                                                                                                                                                                                                                                                                                                                |
| <del>297.</del> | <u>298.</u> | <b>Sanitary or solid waste management facility, public:</b> A sanitary or solid waste management facility owned or operated by or on behalf of the City of Lynchburg or a regional solid waste management authority of which the City of Lynchburg is a member.                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>298.</del> | <u>299.</u> | <b>Sanitary or solid waste management facility:</b> Any facility or zoning lot used for: (i) the disposal of solid waste materials by abandonment, discarding, dumping, reduction, burial, incineration or any other means, including accessory uses such as recycling,                                                                                                                                                                                                                                                                                                                                                                                                    |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | cogeneration, and methane recovery, or (ii) a transfer station for solid waste storage or collection at which solid waste is transferred from collection vehicles to haulage vehicles, including but not limited to trucks, trains, and tandem trailers, for transportation to a central solid waste management facility for disposal or resource recovery. This definition does not include transportable waste receptacles of commercial solid waste generated by establishments engaged in business operations other than manufacturing. This category includes, but is not limited to, solid waste resulting from the operation of stores, markets, office buildings, restaurants, shopping centers, motels, hotels, multiple residences, picnic grounds and day-use recreation areas. This definition also does not include recycling bins. |
| <del>299.</del> | <u>300.</u> | <b>School:</b> An institution, including kindergartens providing full-time day instruction and a course of study that meets the requirements of the laws of the State of Virginia.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>300.</del> | <u>301.</u> | <b>Screening:</b> A method of visually shielding or obscuring items such as a structure, receptacle, parking area, equipment, or stormwater management pond by densely planted landscaping, or a combination of landscaping, berms, solid fences and/or walls.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>301.</del> | <u>302.</u> | <b>Service station:</b> See Automobile service station.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>302.</del> | <u>303.</u> | <b>Setback:</b> See building line.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>303.</del> | <u>304.</u> | <b>Shade tree:</b> Deciduous tree that grows to be more than thirty (30) feet at maturity and planted chiefly to provide shade from sunlight.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>304.</del> | <u>305.</u> | <b>Shallow flooding area:</b> A special flood hazard area with the base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>305.</del> | <u>306.</u> | <b>Short Term Rental:</b> The primary, accessory or secondary use of a residential dwelling unit or a portion thereof by the owner or a host to provide room or space that is intended to be occupied for a period of fewer than 30 consecutive days.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>306.</del> | <u>307.</u> | <b>Shrub, large:</b> A shrub with a minimum height of three feet at planting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>307.</del> | <u>308.</u> | <b>Shrub medium:</b> A shrub with a minimum height of two feet at planting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>308.</del> | <u>309.</u> | <b>Shrub small:</b> A shrub with a minimum height of one foot at planting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>309.</del> | <u>310.</u> | <b>Shrub:</b> A woody plant deciduous or evergreen that generally exhibits several erect, spreading stems with a bushy appearance growing to a height of no more than 15 feet.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>310.</del> | <u>311.</u> | <b>Sign base:</b> The area below any writing, pictorial representation, emblem or any other figure of similar character on a sign face. This shall include solid bases, poles, supports, uprights, skirts and/or enclosures.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>311.</del> | <u>312.</u> | <b>Sign box:</b> A structure that encloses the sign face(s) and any internal illumination.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>312.</del> | <u>313.</u> | <b>Sign face:</b> The area or display surface used for the message, not including the sign frame or sign structure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>313.</del> | <u>314.</u> | <b>Sign frame:</b> The enclosure and/or embellishment that surround the sign face.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>314.</del> | <u>315.</u> | <b>Sign structure:</b> An assembly of material used to support a sign face and/or sign frame.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>315.</del> | <u>316.</u> | <b>Sign:</b> Any writing (including letter, word or numeral), pictorial representation (including illustration or decoration), emblem (including device, symbol, logo, or trademark) or any other figure or graphic of similar character for the purpose of communicating information to the public which is:<br>1. Attached to or painted on a structure, or in any other manner represented on a building, other structure or motor vehicle;<br>2. Used to announce, direct attention to, or advertise;<br>3. Visible from the outside of a building. A sign shall include writing, pictorial representation, emblem or any other figure of similar character within a building when located less than twelve inches away from the inside face of an exterior window pane; and<br>4. Accessory to the permitted uses in the zoning district.                                                                                                                                                                                                                                                           |
| <del>316.</del> | <u>317.</u> | <b>Slope:</b> The deviation of a surface from the horizontal.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>317.</del> | <u>318.</u> | <b>Solid waste:</b> Any discarded material, including, but not limited to, garbage, trash, refuse, junk, debris, leaves, brush, land clearing debris, demolition materials, ash, sludge, spoil, used or waste oil, and machinery or vehicles or parts thereof.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>318.</del> | <u>319.</u> | <b>Stable, riding:</b> See Riding stable.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <del>319.</del> | <u>320.</u> | <b>Standard project flood limit (SPFL):</b> That portion of land inside the floodplain that would be required to carry 40 percent to 60 percent of the maximum probable flood, and normally could be expected to occur at a 500-year frequency.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>320.</del> | <u>321.</u> | <b>Start of construction:</b> The date the Building Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of the property accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. |
| <del>321.</del> | <u>322.</u> | <b>State:</b> means the Commonwealth of Virginia.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>322.</del> | <u>323.</u> | <b>Stealth:</b> means any tower or telecommunications facility that is designed to blend into the surrounding environment through the use of camouflage or other appropriate landscaping or construction techniques.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>323.</del> | <u>324.</u> | <b>Story:</b> That part of a building between the surface of a floor (whether or not counted for purposes of computing floor area ratio) and the ceiling immediately above. However, a cellar is not a story.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <del>324.</del> | <u>325.</u> | <b>Streamer:</b> Any long narrow strip of cloth, paper, plastic or other material.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>325.</del> | <u>326.</u> | <b>Street line:</b> A line defining the edge of a street right-of-way and separating the street from abutting property or lots. If, on the master plan of streets and highways duly                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | adopted by the City, a street is scheduled for future widening, the proposed right-of-way line shown on the master plan shall be the street line.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>326.</del> | <u>327.</u> | <b>Street width:</b> The distance between street lines, measured at right angles to the center line of the street.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <del>327.</del> | <u>328.</u> | <b>Street, center line of:</b> A line established as a center line of a street by any state, City or other official agency or governing body having jurisdiction thereof and shown as such on an officially adopted or legally recorded map. If there is no official center line of a street, the center line shall be a line lying midway between the street or right-of-way lines thereof. Where street lines are indeterminate and a pavement or a traveled way exists, the center line shall be established by the City Engineer or, in the absence of a determination by the department of public works, shall be assumed to be a line midway between the edges of such pavement or traveled way.                                   |
| <del>328.</del> | <u>329.</u> | <b>Street:</b> A street, highway, avenue, lane, marginal access street, service drive, alley, bridge, viaduct, or any segment thereof, lying within a public right-of-way at least 20 feet in width.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>329.</del> | <u>330.</u> | <b>Structural engineer:</b> means a structural engineer licensed by the Commonwealth of Virginia.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <del>330.</del> | <u>331.</u> | <b>Structure:</b><br>1. Any object, including a mobile object, constructed or installed by any person, including but not limited to buildings, towers, cranes, smokestacks, earth formations, poles and electric lines of overhead transmission routes, and flag poles.<br>2. For purposes of floodplain regulation, anything constructed, set, placed or erected on the ground or attached to the ground including, but not limited to, buildings, factories, sheds, cabins, manufactured homes and other similar items which shall be anchored and floodproofed within the floodplain.                                                                                                                                                 |
| <del>331.</del> | <u>332.</u> | <b>Subdivision:</b> The division of any tract or parcel of land, including frontage along an existing street or highway, into two or more zoning lots; or any improvement of land by two or more principal buildings for the purpose, whether immediate or future, of building development for rental, lease or sale, which may include changes in street or lot lines; provided, however, that this definition of a subdivision shall not include the divisions of land into ten acres or more for agricultural uses.                                                                                                                                                                                                                   |
| <del>332.</del> | <u>333.</u> | <b>Substantial damage:</b> Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damaged occurred.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>333.</del> | <u>334.</u> | <b>Substantial improvement:</b><br>1. For purposes of the historic district, any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. The term includes structures which have incurred substantial damage regardless of the actual repair work performed. The term does not, however, include either:<br>a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | <p>safe living conditions, or</p> <p>b. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.</p> <p>2. For purposes of floodplain regulation:</p> <p>a. Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:</p> <ol style="list-style-type: none"> <li>before the improvement or repair is started; or</li> <li>if the structure has been damaged, and is being restored, before the damage occurred.</li> </ol> <p>b. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:</p> <ol style="list-style-type: none"> <li>any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or</li> <li>any alteration of a structure listed on the national register of historic places or a state inventory of historic places.</li> </ol> <p>c. The repair, reconstruction or improvement of the streets, utilities and pads in a manufactured home park or manufactured home subdivision which equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced.</p> |
| <del>334.</del> | <u>335.</u> | <b>Surface area of sign:</b> The entire area of the sign within a single continuous perimeter including the extreme limits of writing, pictorial representation, emblem, figure, graphic, or any figure of similar character. The sign base, box, frame, and/or structure shall not be considered the surface area of a sign unless there is writing or internal illumination on such sign components. For the purpose of computing, the surface area of a double-faced sign or a V-type sign shall be considered a single structure; provided, that the interior angle of the V-type sign does not exceed 45 degrees.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>335.</del> | <u>336.</u> | <b>Swimming pool, commercial:</b> A swimming pool and/or wading pool, including buildings necessary or incidental thereto, open to the general public and operated for profit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>336.</del> | <u>337.</u> | <b>Swimming pool, community:</b> A swimming pool and/or wading pool, including buildings necessary or incidental thereto, operated by members of more than two families for the benefit of such group and not open to the general public, whether incorporated or unincorporated, whether organized as a club or cooperative or association, providing that it is not organized for profit and that the right to use said pool is restricted to such families and their guests. A swimming pool and/or wading pool operated as part of a multiple dwelling is also a community swimming pool, providing that it is not operated for profit, and that the right to use said pool is restricted to tenants of the multiple dwelling and their guests.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>337.</del> | <u>338.</u> | <b>Swimming pool, private:</b> See private recreational facilities.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>338.</del> | <u>339.</u> | <b>Telecommunications facilities:</b> means any cables, wires, lines, wave guides, antennas, and any other equipment associated with the transmission or reception of communications (other than radio or television broadcast communications) which a                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | <p>person seeks to locate or has installed upon or near a tower or antenna support structure. The term telecommunications facilities shall not include:</p> <ol style="list-style-type: none"> <li>1. Any satellite earth station antenna two meters in diameter or less which is located in an area zoned industrial or commercial; or</li> <li>2. Any satellite earth station antenna one meter or less in diameter, regardless of zoning category; or</li> <li>3. Any federally-licensed amateur radio station operators.</li> </ol> |
| <del>339.</del> | <u>340.</u> | <b>Temporary sign:</b> A sign designed or intended to be displayed for a limited period of time as indicated in the Zoning Ordinance.                                                                                                                                                                                                                                                                                                                                                                                                   |
| <del>340.</del> | <u>341.</u> | <b>Thrift store:</b> A store selling used items, particularly clothing for the benefit of a charitable organization.                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>341.</del> | <u>342.</u> | <b>Topping:</b> An inappropriate practice of making heading cuts to plants through a stem more than two years old that drastically reduces tree height, destroys tree architecture and results in discoloration, decay of the cut stem, or death of the tree.                                                                                                                                                                                                                                                                           |
| <del>342.</del> | <u>343.</u> | <b>Tourist home or bed and breakfast:</b> A dwelling, occupied as such, in which sleeping accommodations in less than six rooms with not more than four persons per room are provided or offered for transient guests for compensation, under the management of the occupants of that dwelling for dwelling purposes. A tourist home or bed and breakfast shall not be deemed a home occupation.                                                                                                                                        |
| <del>343.</del> | <u>344.</u> | <b>Tower owner:</b> means the person that owns or controls a telecommunications tower.                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>344.</del> | <u>345.</u> | <b>Tower:</b> means a self-supporting lattice, guyed, or monopole structure constructed from grade that supports telecommunications facilities. The term tower shall not include amateur radio operators' equipment, as licensed by the FCC.                                                                                                                                                                                                                                                                                            |
| <del>345.</del> | <u>346.</u> | <b>Townhouse:</b> One of a series of from three to nine attached dwelling units separated from one another by common vertical walls with no openings; provided, that the maximum density permitted hereunder shall not be exceeded.                                                                                                                                                                                                                                                                                                     |
| <del>346.</del> | <u>347.</u> | <b>Trailer:</b> A residence, house car, camp car or any portable or mobile vehicle on wheels, skids or rollers, not structurally anchored to a foundation, either self-propelled or propelled by an attached vehicle, animal, person or other propelling apparatus, which is used or may be used for residential, commercial, recreational, hauling or storage purposes.                                                                                                                                                                |
| <del>347.</del> | <u>348.</u> | <b>Transitional surfaces:</b> Imaginary surfaces for airport operations, whose design standards are referenced in <a href="#">section 35.2-57.3</a> which extend outward perpendicular to the runway centerline sloping from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces.                                                                                                                                                                                                |
| <del>348.</del> | <u>349.</u> | <b>Tree, small deciduous:</b> A small deciduous tree shall be of a species having an average minimum mature crown spread of greater than 12 feet. A minimum caliper of at least one and three-fourths inches at the time of planting shall be required.                                                                                                                                                                                                                                                                                 |
| <del>349.</del> | <u>350.</u> | <b>Unified and coordinated building mounted signs:</b> Signs that are similar in construction technique, but not including font, or color.                                                                                                                                                                                                                                                                                                                                                                                              |
| <del>350.</del> | <u>351.</u> | <b>Unified Ownership or Control:</b> The interest in title to a unit of land legally or beneficially held or controlled by one or more individual persons or entities related by                                                                                                                                                                                                                                                                                                                                                        |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | a common business organization or other type of organization, as indicated by the fact that all land abutting such unit is owned or controlled by persons or entities who do not differ to any extent in identity or interest held.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <del>351.</del> | <u>352.</u> | <b>Use, accessory:</b> See accessory use.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>352.</del> | <u>353.</u> | <b>Use:</b><br>1. Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained or occupied.<br>2. Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a tract of land.<br>3. The term "permitted use," or its equivalent, shall not be deemed to include any nonconforming use.                                                                                                                                                                                                                                                                                                                                              |
| <del>353.</del> | <u>354.</u> | <b>Utility line, distribution:</b> A utility line that has the primary purpose of distributing services within easements or rights of way and connecting to service utility lines.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <del>354.</del> | <u>355.</u> | <b>Utility line, service:</b> A utility line providing a connection between a utility distribution line and the end user.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <del>355.</del> | <u>356.</u> | <b>Utility line, transmission:</b> A utility line intended to convey high capacities of services through the community and between communities from the source of the services (treatment or generation plant) to a substation connecting to the distribution system.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <del>356.</del> | <u>357.</u> | <b>Wall plane projections:</b> An architectural feature or wall jutting out at least three feet from the primary plane of a building wall.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>357.</del> | <u>358.</u> | <b>Water feature:</b> A stormwater management structural measure such as a stormwater retention pond, bio-retention, forebay, or landscape garden pond that is wet permanently or intermittently during rain events and contains landscaping that is hydric or water tolerant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <del>358.</del> | <u>359.</u> | <b>Water surface profiles:</b> The elevations in relation to the mean sea level expected to be reached by floods of various magnitudes and frequencies at pertinent points along a stream.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <del>359.</del> | <u>360.</u> | <b>Watercourse:</b> A lake, river, creek, stream, wash, channel or other topographic feature on or over which water flows at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <del>360.</del> | <u>361.</u> | <b>Window sign:</b> A sign attached to, applied directly to, or located within 12 inches from a door or window.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <del>361.</del> | <u>362.</u> | <b>Yard Sale:</b> Permitted in Zoning Districts used for residential purposes provided the following is adhered to:<br>1. A total of two sales permitted per calendar year per street address.<br>2. A sale shall not exceed two consecutive days.<br>3. Sale shall consist primarily of those personal items accumulated and used by the occupant of the premises.<br>4. There shall be a minimum interval of four months between sales.<br>5. One sign not exceeding three square feet in area will be permitted on premises the day of the sale and shall be promptly removed at end of each sale day.<br>6. Signs advertising a sale are prohibited on street right-of-ways.<br>7. Permitted sale shall not create adverse conditions such as noise, nor impede |

|                 |             |                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 |             | pedestrian or vehicular traffic.                                                                                                                                                                                                                                                                                                                                     |
| <del>362.</del> | <u>363.</u> | <b>Yard, front:</b> The area between the front lot line and the front of the building and extending from the front corners of the building to the side property lines.                                                                                                                                                                                               |
| <del>363.</del> | <u>364.</u> | <b>Yard, rear:</b> An area between the rear of the building and the rear property line and extending from the rear corners of the building to the side property lines.                                                                                                                                                                                               |
| <del>364.</del> | <u>365.</u> | <b>Yard, side:</b> The area between the side of a building and the side property lines                                                                                                                                                                                                                                                                               |
| <del>365.</del> | <u>366.</u> | <b>Zone, airport:</b> For purposes of the airport overlay district, all areas, generally described in three dimensions by reference to ground elevation, vertical distances from the ground elevation, horizontal distances from the runway centerline and the primary and horizontal surfaces, with the zone floor set at specific vertical limits by the surfaces. |
| <del>366.</del> | <u>367.</u> | <b>Zoning district:</b> The base or overlay zoning designation assigned to each parcel of land within the City of Lynchburg.                                                                                                                                                                                                                                         |
| <del>367.</del> | <u>368.</u> | <b>Zoning maps:</b> Maps designating the adopted base and overlay zoning district designations for each parcel of land within the City of Lynchburg.                                                                                                                                                                                                                 |

(Remainder of Page Intentionally Left Blank)

2. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-46.2 of Article IV of Chapter 35.2 as follows:

**Sec. 35.2-46.2. - Authorized uses.**

- (a) The uses authorized by Exhibit IV-15 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII as well as other applicable rules and regulations.
- (b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.
- (c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.
- (d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

**Exhibit IV-15 Authorized Uses in B-3 District**

| Land Use                                                                           | LBCS #       | Description                                                                                                                                     | Approval Type |
|------------------------------------------------------------------------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>single-household detached</b>                                                   | <b>1111S</b> | Typical single-household dwelling                                                                                                               | P             |
| <b>modular home</b>                                                                | <b>1114S</b> | A prefabricated home without axles or frames (see definitions)                                                                                  | P             |
| <b>Two-household (duplex)</b>                                                      | <b>1121S</b> | A building located on one (1) zoning lot containing not more than two (2) dwelling units                                                        | C             |
| <b>single-household attached (townhouse)</b>                                       | <b>1140S</b> | Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered                                                         | C             |
| <b>Multi-household structures</b>                                                  | <b>1200S</b> | Includes triplexes, four-plexes, and other multi-household dwellings                                                                            | C             |
| <b>Mixed-use residential structures (see district regulations for limitations)</b> | <b>1201S</b> | Typically commercial uses on lower floors and residential uses on upper floors                                                                  | P             |
| <b>Housing Services</b>                                                            | <b>1200</b>  | Housing and custodial services for those who cannot care for themselves. Includes nursing and retirement homes, congregate living, assisted and | P             |

| Land Use                                                                                                                                               | LBCS #           | Description                                                                                                                                                                               | Approval Type |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                                                                                        |                  | continuing care living, but excludes rehab uses in LBCS #6520)                                                                                                                            |               |
| <b>Bed &amp; Breakfast and Tourist Homes</b>                                                                                                           | <b>1310</b>      | Guest rooms in a private home or accessory building to a private home                                                                                                                     | P             |
| <b>boarding house</b>                                                                                                                                  | <b>1321</b>      | Non-transient lodging that may include meals and is owner occupied                                                                                                                        | P             |
| <b>rooming house</b>                                                                                                                                   | <b>1322</b>      | Transient or non-transient lodging that may include meals                                                                                                                                 | P             |
| <b>dormitory, sorority or fraternity house</b>                                                                                                         | <b>1323</b>      | Allowed only as accessory uses to and owned by a college or university                                                                                                                    | C             |
| <b>Hotel, motel, or tourist court</b>                                                                                                                  | <b>1330</b>      | Hotels that do not have gambling services; includes extended-stay hotels                                                                                                                  | P             |
| <b>Short Term Rental</b>                                                                                                                               | <b>1350</b>      | Provision of lodging for fewer than thirty (30) consecutive days. (See <a href="#">Section 35.2-71.16</a> )                                                                               | P             |
| <b>bicycles</b>                                                                                                                                        | <b>2113b</b>     | New or used bicycle sales, rental and repair                                                                                                                                              | P             |
| <b>parts, accessories, or tires</b>                                                                                                                    | <b>2115</b>      | Automotive parts and supply stores, automotive stereo stores.                                                                                                                             | P             |
| <b>gasoline service</b>                                                                                                                                | <b>2116</b>      | Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair                                                              | P             |
| <b>light auto repair</b>                                                                                                                               | <b>2117a</b>     | Oil change, light auto repair and car wash. May included gasoline and other retail sales.                                                                                                 | C             |
| <b>heavy auto repair</b>                                                                                                                               | <b>2117b</b>     | Auto repair, paint and body shops. May include gasoline and other retail sales.                                                                                                           | C             |
| <b>furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and</b> | <b>2121-2125</b> | Furniture, flooring, bedding stores; home building and repair supplies, painting supplies, farm goods, lighting supply, window treatment; nursery and garden products predominantly grown | P             |

| Land Use                                                                                                                                                                             | LBCS #    | Description                                                                                                                                                                                                                                                                                                           | Approval Type |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| appliances                                                                                                                                                                           |           | elsewhere, power equipment sales or services; large variety stores; household-type appliances, television, stereos, including repair shops and cell phone stores.                                                                                                                                                     |               |
| computer and software                                                                                                                                                                | 2131      | Computers and prepackaged software including repair, support, and training                                                                                                                                                                                                                                            | P             |
| camera and photographic supplies; clothing, jewelry, luggage, shoes, clocks, sewing; sporting goods, toy and hobby, and musical instruments; mixed media, school and office supplies | 2132-2135 | Primarily retail cameras and photographic supplies or retail with repair and film developing; clothing (including shoe repair and tailoring, sporting goods, toys, musical instruments, kitchen goods, books, magazines, music, videos, stationary, greeting cards, seasonal decorations, office and school supplies. | P             |
| florist, art supplies, tobacco products                                                                                                                                              | 2141-2143 | Florists, art supplies and art dealers, frame shops, tobacco products                                                                                                                                                                                                                                                 | P             |
| art galleries                                                                                                                                                                        | 2142b     | Excludes art supply sales and retail framing services                                                                                                                                                                                                                                                                 | P             |
| antique shop                                                                                                                                                                         | 2145      | Antique shops, (excludes flea markets, thrift stores and pawn shops)                                                                                                                                                                                                                                                  | P             |
| flea markets and thrift stores                                                                                                                                                       | 2145b     | Flea markets and thrift stores                                                                                                                                                                                                                                                                                        | P             |
| grocery store, supermarket, or bakery, convenience store, specialty food stores                                                                                                      | 2151-2154 | Included are grocery stores, convenience stores, meat, seafood and produce markets, coffee, confections, variety goods and general stores, and delicatessens. Excludes stores with fuel pumps (see 2116 for fuel sales).                                                                                              | P             |
| beer, wine, and liquor store                                                                                                                                                         | 2155      |                                                                                                                                                                                                                                                                                                                       | P             |
| Health and personal care                                                                                                                                                             | 2160      | Retail prescription or nonprescription drugs; retail cosmetics, perfumes, toiletries; prescription or nonprescription eyeglasses; prescription or nonprescription health and convalescent aids; medical devices, retail food supplement products such as                                                              | P             |

| Land Use                                                                                                        | LBCS #                 | Description                                                                                                                                                                     | Approval Type |
|-----------------------------------------------------------------------------------------------------------------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                                                 |                        | vitamins, nutrition supplements, and body enhancing supplements.                                                                                                                |               |
| <b>Markets for farm produce or crafts</b>                                                                       | <b>2199</b>            | Markets and truck gardens.                                                                                                                                                      | C             |
| <b>Bank, credit union, or savings institution</b>                                                               | <b>2210</b>            | Central banking functions                                                                                                                                                       | P             |
| <b>credit card and other financing</b>                                                                          | <b>2221</b>            | Credit card, sales financing, unsecured consumer lending, real estate credit, mortgages, international trade financing                                                          | P             |
| <b>pawn shops</b>                                                                                               | <b>2222</b>            |                                                                                                                                                                                 | P             |
| <b>short-term loans</b>                                                                                         | <b>2223</b>            | Pay-day lenders and other businesses providing loans with terms of 45 days or less                                                                                              | P             |
| <b>precious metal buyers</b>                                                                                    | <b>2224</b>            | Businesses providing cash for gold and other precious metals or gems (excludes retail jewelers)                                                                                 | P             |
| <b>Investment banking, securities, and brokerages; insurance; fund, trust, or other financial establishment</b> | <b>2230-2250</b>       | Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries | P             |
| <b>Real estate services</b>                                                                                     | <b>2310</b>            | Sell or lease real estate such as buildings, manufactured home sites and vacant lots; includes real estate appraisers and realtor offices                                       | P             |
| <b>Property management services</b>                                                                             | <b>2320</b>            | Manage real property for others                                                                                                                                                 | P             |
| <b>vehicles</b>                                                                                                 | <b>2331 &amp; 2332</b> | Lease passenger cars, trucks, trailers, RVs, buses and aircraft; drivers not provided                                                                                           | C             |
| <b>Professional offices</b>                                                                                     | <b>2411-2014</b>       | Title abstract, lawyers, notaries, accountants, bookkeeping, payroll services, architects, engineers, surveyors, graphic design, interior design and industrial design          | P             |

| Land Use                                                                 | LBCS #                  | Description                                                                                                                                                  | Approval Type |
|--------------------------------------------------------------------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>consulting services (management, environmental technical)</b>         | <b>2415</b>             | Advise and assist businesses on management, scientific, and technological issues                                                                             | P             |
| <b>scientific research and development services</b>                      | <b>2416</b>             | Conduct research or analyze in the physical, engineering, cognitive, or life sciences in laboratories or offices.                                            | P             |
| <b>advertising, media and photography services</b>                       | <b>2417</b>             | Includes advertising, marketing and public relations agencies, photographic studios and photographic services.                                               | P             |
| <b>veterinary services</b>                                               | <b>2418</b>             | Veterinary medicine, testing services for veterinary practitioners                                                                                           | C             |
| <b>other professional offices</b>                                        | <b>2419, 6810, 6820</b> | Includes advertising and media services intellectual property rights, franchising, labor, political or business organizations, and uses with similar impacts | P             |
| <b>office administrative services</b>                                    | <b>2421</b>             | Office administration such as billing, record keeping, personnel, organizational planning                                                                    | P             |
| <b>facilities support services</b>                                       | <b>2422</b>             | Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.                            | P             |
| <b>employment agency</b>                                                 | <b>2423a</b>            | Provide employee placement, temporary help                                                                                                                   | P             |
| <b>copy center, private mail center, other business support services</b> | <b>2424</b>             | Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, internet access, small signs and banners               | P             |
| <b>collection agency</b>                                                 | <b>2425</b>             | Collect payments, compile credit information, repossess tangible assets                                                                                      | P             |
| <b>Travel arrangement and reservation services</b>                       | <b>2430</b>             | Promote or sell travel, includes convention and visitors' bureaus                                                                                            | P             |

| Land Use                                       | LBCS #           | Description                                                                                                                                                                 | Approval Type |
|------------------------------------------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Investigation and security services            | 2440             | Provide detective, guard and patrol services, picking up and delivery of money, selling of security systems, remote monitoring of security systems, locksmiths              | P             |
| Restaurants, cafeterias, snack bars & catering | 2510-2530 & 2560 | Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.         | P             |
| Mobile food services                           | 2550             | Prepare and serve meals and snacks for immediate consumption from motorized vehicles                                                                                        | P             |
| Personal care                                  | 2610             | Hair, nail, and skin care and related personal care, barbers, beauty shops, dieting and weight loss, tanning, hair removal, hair weaving, ear piercing and similar services | P             |
| laundromat and dry cleaning                    | 2621 & 2622      | Includes Laundromats, dry cleaners, diaper services as well as other commercial laundry services                                                                            | P             |
| Photofinishing                                 | 2630             | Primarily engaged in developing film or making slides, etc.                                                                                                                 | P             |
| Parking lot and parking garage                 | 2640             | See district standards                                                                                                                                                      | P             |
| licensed massage therapist                     | 2651             |                                                                                                                                                                             | P             |
| Tattoo Parlor                                  | 2652             | Tattoos by a licensed professional                                                                                                                                          | P             |
| adult retail establishment                     | 2653             | Stores primarily selling adult oriented products, including books, videos, magazines, toys, lingerie and other sexually-oriented goods                                      | P             |
| Pet or pet supply store                        | 2710             | Retail pets, pet foods, pet supplies                                                                                                                                        | P             |
| animal services                                | 2721             | grooming and training                                                                                                                                                       | P             |
| animal boarding                                | 2722             | sitting and boarding                                                                                                                                                        | C             |

| Land Use                                                     | LBCS #                 | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Approval Type |
|--------------------------------------------------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| pet cemetery                                                 | 2723                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | P             |
| national post office                                         | 4181                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | P             |
| retail courier and package delivery                          | 4182                   | Retail courier, package drop-off and mail services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | P             |
| radio and television broadcasting                            | 4231, 4232 & 4241      | Operate broadcasting studios and facilities for over the air, cable or satellite delivery of radio and television programs                                                                                                                                                                                                                                                                                                                                                                                                                                   | P             |
| wireless telecommunications transmission                     | 4233                   | Operate, maintain or provide access to facilities for the transmission of voice, data, text, sound or video, see <a href="#">section 35.2-73</a> for telecommunications ordinance                                                                                                                                                                                                                                                                                                                                                                            | C/P           |
| telephone and other wired telecommunications                 | 4234                   | Operate telephone networks - excludes switching stations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | P             |
| Telecommunications switching stations/exchanges              | 4239                   | Telecommunications switching stations and exchanges with no on-site employees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | C             |
| library or archive                                           | 4242                   | Provide library or archive services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | P             |
| data processing and management, hosting and related services | 4244                   | Web hosting, computer data storage, optical scanning, computer input preparation, microfilm imaging                                                                                                                                                                                                                                                                                                                                                                                                                                                          | P             |
| Public Utilities Services, Major                             | 4315, 4329, 4339, 4349 | Includes transmission lines for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission of a regional nature and normally entail the construction of new buildings or structures such as electrical switching facilities and stations or substations, electric, gas, and other utility transmission lines of a regional nature which are not otherwise reviewed and approved by the Virginia State Corporation Commission. All overhead transmission lines are included in this | C             |

| Land Use                                                                           | LBCS #                        | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Approval Type |
|------------------------------------------------------------------------------------|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                    |                               | definition.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               |
| <b>Public Utilities Service Minor</b>                                              | <b>4315, 4329, 4339, 4349</b> | Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures. | P             |
| <b>electric substations</b>                                                        | <b>4316</b>                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | C             |
| <b>Water treatment plants and utility facilities</b>                               | <b>4331 - 4333,</b>           | Water treatment plants, pumping stations and lift stations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | C             |
| <b>Theater, dance or music establishment</b>                                       | <b>5110 &amp; 5160</b>        | Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers                                                                                                                                                                                                                                                                                                                                                   | P             |
| <b>Motion picture viewing and exhibition services</b>                              | <b>5111</b>                   | Operate movie theaters (excluding drive-ins), film festival exhibitions                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | P             |
| <b>Promoter of sports, performing arts, similar events and management services</b> | <b>5140 - 5150</b>            | Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers                                                                                                                                                                                                                                                                                                                                                                                                                              | P             |
| <b>Indoor auditorium or arena</b>                                                  | <b>5170</b>                   | Indoor auditoriums, arenas, conference centers, or multipurpose facilities                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | P             |
| <b>Museums and Other Special Purpose Recreational Institutions</b>                 | <b>5200</b>                   | Public and private museums, historical sites, and similar establishments                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | P             |
| <b>Amusement or theme park establishment</b>                                       | <b>5310</b>                   | Operate a variety of attractions such as mechanical rides, water rides, games                                                                                                                                                                                                                                                                                                                                                                                                                                                              | C             |

| Land Use                               | LBCS #                | Description                                                                                                                                                                                             | Approval Type |
|----------------------------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Commercial Amusements                  | 5320, 5380, 5390      | Operate arcades and other commercial amusements as defined herein                                                                                                                                       | P             |
| Country Club                           | 5340 & 6830           | Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings | P             |
| fitness and recreational sports center | 5371                  | Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building    | P             |
| outdoor recreation                     | 5372, 5373 & 5374     | Includes golf courses, archery ranges, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding (excludes automobile, dog and horse racing)  | C             |
| shooting ranges, indoor                | 5375                  |                                                                                                                                                                                                         | C             |
| Natural and other Recreational Parks   | 5500                  | All parks without special economic functions, other than limited concessions                                                                                                                            | P             |
| Nursery or preschool                   | 6110                  |                                                                                                                                                                                                         | P             |
| Grade school                           | 6120                  | Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere. See district use standards.                 | P             |
| College or university                  | 6130                  | See district use standards.                                                                                                                                                                             | P             |
| general technical schools              | 6141-6143, 6145, 6147 | Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities. See district use standards.                                      | P             |

| Land Use                                           | LBCS #       | Description                                                                                                                               | Approval Type   |
|----------------------------------------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| driving education                                  | 6144         |                                                                                                                                           | P               |
| Public Safety                                      | 6400         | Government-owned establishments providing fire and rescue, police, and emergency response services                                        | P               |
| clinic                                             | 6511 & 6567  | Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans affairs services              | P               |
| outpatient care clinic                             | 6512         | Provide outpatient family planning services and outpatient care                                                                           | P               |
| <u>abortion clinic</u>                             | <u>6512a</u> | <b><u>Abortion clinics – as defined in Section 35.2-113</u></b><br><br><b><u>(see standards in Section 35.2-72.28)</u></b>                | <b><u>C</u></b> |
| medical or diagnostic laboratory; blood/organ bank | 6513 - 6514  | Provide analytic or diagnostic services including medical imaging                                                                         | P               |
| group home small                                   | 6522         | Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities | P               |
| group home large                                   | 6523         | Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities          | P               |
| Hospital                                           | 6530         |                                                                                                                                           | C               |
| child and adult day care                           | 6562         | Provide day care for children and adults                                                                                                  |                 |
| home                                               | 6562a        | Day care for fewer than six (6) individuals in a residence                                                                                | P               |
| small                                              | 6562b        | Day care for six (6) to twelve (12) individuals in a residence                                                                            | P               |
| large                                              | 6562c        | Provide care for more than 12 individuals                                                                                                 | P               |

| Land Use                                                      | LBCS # | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Approval Type |
|---------------------------------------------------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Religious Institutions                                        | 6600   | Churches, temples, synagogues, mosques, convents and monasteries                                                                                                                                                                                                                                                                                                                                                                                                                               | P             |
| Death Care Services                                           | 6700   | Funeral homes, crematories, cemeteries                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |
| Funeral home and services                                     | 6710   | Includes funeral homes combined with crematories                                                                                                                                                                                                                                                                                                                                                                                                                                               | P             |
| free-standing cemetery                                        | 6722   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | P             |
| columbarium                                                   | 6724   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | C             |
| Construction-Related Businesses                               | 7000   | Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may limit or preclude manufacturing, outdoor operations, outdoor storage of commercial vehicles and materials. | P             |
| Vegetable farming or growing                                  | 9120   | Includes private fields and community gardens with production limited to retail sales                                                                                                                                                                                                                                                                                                                                                                                                          | P             |
| Commercial orchards                                           | 9130   | Includes fruit and nut trees with production limited to retail sales                                                                                                                                                                                                                                                                                                                                                                                                                           | P             |
| Greenhouse - no on-premises sales                             | 9141   | Commercial greenhouse production                                                                                                                                                                                                                                                                                                                                                                                                                                                               | P             |
| Greenhouse - sales of products grown on premises              | 9142   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | P             |
| Greenhouse - sales of products and related accessory products | 9143   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | P             |
| Animal Production                                             | 9300   | Keep, graze, breed or feed animals (see standards in <a href="#">section 35.2-71.7</a> )                                                                                                                                                                                                                                                                                                                                                                                                       | P             |

| Land Use                                   | LBCS # | Description                                                                                                                                             | Approval Type |
|--------------------------------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| tent revival meetings/transient amusements | 9921   | Includes temporary carnivals and circuses sponsored by non-profit organizations (see <a href="#">section 35.2-72.23</a> )                               | P             |
| temporary outdoor promotional attractions  | 9922   | Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see <a href="#">section 35.2-72.23</a> ) | P             |
| traditional neighborhood development       | 9952   | See <a href="#">section 35.2-82</a> )                                                                                                                   | C             |
| large scale retail establishments          | 9954   | See <a href="#">section 35.2-84</a>                                                                                                                     | P             |
| cluster commercial development             | 9955   | See <a href="#">section 35.2-85</a>                                                                                                                     | C             |

(Remainder of Page Intentionally Left Blank)

3. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-48.2 of Article IV of Chapter 35.2 as follows:

**Sec. 35.2-48.2. - Authorized uses.**

- (a) The uses authorized by Exhibit IV-19 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII as well as other applicable rules and regulations.
- (b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.
- (c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.
- (d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

**Exhibit IV-19: Authorized Uses in B-5 District**

| Land Use                              | LBCS # | Description                                                                                                                                                                                                             | Approval Type |
|---------------------------------------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| single-household detached             | 1111S  | Typical single-household dwelling                                                                                                                                                                                       | C             |
| modular home                          | 1114S  | A prefabricated home without axles or frames (see definitions)                                                                                                                                                          | C             |
| manufactured home                     | 1115S  | A structure, transportable in one (1) or more sections, built after 1978 on a permanent chassis, and designed for use with or without a permanent foundation when connected to the required utilities (see definitions) | C             |
| Two-household (duplex)                | 1121S  | A building located on one (1) zoning lot containing not more than two (2) dwelling units                                                                                                                                | C             |
| single-household semi-detached        | 1122S  | One of two dwellings separated by a party wall, on abutting lots                                                                                                                                                        | C             |
| single-household attached (townhouse) | 1140S  | Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered                                                                                                                                 | C             |
| Multi-household structures            | 1200S  | Includes triplexes, four-plexes, and other                                                                                                                                                                              | C             |

| Land Use                                                                    | LBCS #    | Description                                                                                                                                                                                                    | Approval Type |
|-----------------------------------------------------------------------------|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                             |           | multi-household dwellings                                                                                                                                                                                      |               |
| Mixed-use residential structures (see district regulations for limitations) | 1201S     | Typically commercial uses on lower floors and residential uses on upper floors                                                                                                                                 | P             |
| Housing Services                                                            | 1200      | Housing and custodial services for those who cannot care for themselves. Includes nursing and retirement homes, congregate living, assisted and continuing care living, but excludes rehab uses in LBCS #6520) | P             |
| Bed & Breakfast and Tourist Homes                                           | 1310      | Guest rooms in a private home or accessory building to a private home                                                                                                                                          | P             |
| boarding house                                                              | 1321      | Non-transient lodging that may include meals and is owner occupied                                                                                                                                             | P             |
| rooming house                                                               | 1322      | Transient or non-transient lodging that may include meals                                                                                                                                                      | P             |
| dormitory, sorority or fraternity house                                     | 1323      | Allowed only as accessory uses to and owned by a college or university                                                                                                                                         | C             |
| Hotel, motel, or tourist court                                              | 1330      | Hotels that do not have gambling services; includes extended-stay hotels                                                                                                                                       | P             |
| Short Term Rental                                                           | 1350      | Provision of lodging for fewer than thirty (30) consecutive days. (See <a href="#">Section 35.2-71.16</a> )                                                                                                    | P             |
| car, motorcycle, manufactured homes or RV dealer                            | 2111-2113 | New or used automobiles, light trucks, motorcycles, RV's, manufactured homes, and buses                                                                                                                        | P             |
| bicycles                                                                    | 2113b     | New or used bicycle sales, rental and repair                                                                                                                                                                   | P             |
| boat or marine craft dealer                                                 | 2114      | New or used boats sales, rental and related repair services                                                                                                                                                    | P             |
| parts, accessories, or tires                                                | 2115      | Automotive parts and supply stores, automotive stereo stores.                                                                                                                                                  | P             |

| <b>Land Use</b>                                                                                                                                                                             | <b>LBCS #</b>    | <b>Description</b>                                                                                                                                                                                                                                                                                                                                          | <b>Approval Type</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>gasoline service</b>                                                                                                                                                                     | <b>2116</b>      | Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair                                                                                                                                                                                                                                | P                    |
| <b>light auto repair</b>                                                                                                                                                                    | <b>2117a</b>     | Oil change, light auto repair and car wash. May include gasoline and other related sales.                                                                                                                                                                                                                                                                   | P                    |
| <b>heavy auto repair</b>                                                                                                                                                                    | <b>2117b</b>     | Auto repair, paint and body shops. May include gasoline and other retail sales.                                                                                                                                                                                                                                                                             | P                    |
| <b>furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances</b>                           | <b>2121-2125</b> | Furniture, flooring, bedding stores; home building and repair supplies, painting supplies, farm goods, lighting supply, window treatment; nursery and garden products predominantly grown elsewhere, power equipment sales or services; large variety stores; household-type appliances, television, stereos, including repair shops and cell phone stores. | P                    |
| <b>lumber yard and building materials; heating and plumbing equipment; heavy equipment</b>                                                                                                  | <b>2126-2128</b> | Lumber yards and heavy building materials; heating and plumbing equipment retailers; for heating and plumbing contractors who install or service, use the appropriate construction category; construction equipment and vehicles; includes authorized storage (3650)                                                                                        | P                    |
| <b>computer and software</b>                                                                                                                                                                | <b>2131</b>      | Computers and prepackaged software including repair, support, and training                                                                                                                                                                                                                                                                                  | P                    |
| <b>camera and photographic supplies; clothing, jewelry, luggage, shoes, clocks, sewing; sporting goods, toy and hobby, and musical instruments; mixed media, school and office supplies</b> | <b>2132-2135</b> | Primarily retail cameras and photographic supplies or retail with repair and film developing; clothing (including shoe repair and tailoring, sporting goods, toys, musical instruments, kitchen goods, books, magazines, music, videos, stationary, greeting cards, seasonal decorations, office and school supplies.                                       | P                    |
| <b>florist, art supplies, tobacco products</b>                                                                                                                                              | <b>2141-2143</b> | Florists, art supplies and art dealers, frame shops, tobacco products                                                                                                                                                                                                                                                                                       | P                    |

| Land Use                                                                        | LBCS #    | Description                                                                                                                                                                                                                                                                                                               | Approval Type |
|---------------------------------------------------------------------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| art galleries                                                                   | 2142b     | Excludes art supply sales and retail framing services                                                                                                                                                                                                                                                                     | P             |
| mail order or direct selling establishment                                      | 2144      | Retailing other than through locations where shoppers physically visit                                                                                                                                                                                                                                                    | P             |
| antique shop                                                                    | 2145      | Antique shops, (excludes flea markets, thrift stores and pawn shops)                                                                                                                                                                                                                                                      | P             |
| flea markets and thrift stores                                                  | 2145b     | Flea markets and thrift stores                                                                                                                                                                                                                                                                                            | P             |
| grocery store, supermarket, or bakery, convenience store, specialty food stores | 2151-2154 | Included are grocery stores, convenience stores, meat, seafood and produce markets, coffee, confections, variety goods and general stores, and delicatessens. Excludes stores with fuel pumps (see 2116 for fuel sales).                                                                                                  | P             |
| beer, wine, and liquor store                                                    | 2155      |                                                                                                                                                                                                                                                                                                                           | P             |
| Health and personal care                                                        | 2160      | Retail prescription or nonprescription drugs; retail cosmetics, perfumes, toiletries; prescription or nonprescription eyeglasses; prescription or nonprescription health and convalescent aids; medical devices, retail food supplement products such as vitamins, nutrition supplements, and body enhancing supplements. | P             |
| Markets for farm produce or crafts                                              | 2199      | Markets and truck gardens.                                                                                                                                                                                                                                                                                                | P             |
| Bank, credit union, or savings institution                                      | 2210      | Central banking functions                                                                                                                                                                                                                                                                                                 | P             |
| credit card and other financing                                                 | 2221      | Credit card, sales financing, unsecured consumer lending, real estate credit, mortgages, international trade financing                                                                                                                                                                                                    | P             |
| pawn shops                                                                      | 2222      |                                                                                                                                                                                                                                                                                                                           | P             |
| short-term loans                                                                | 2223      | Pay-day lenders and other businesses                                                                                                                                                                                                                                                                                      | P             |

| Land Use                                                                                                 | LBCS #      | Description                                                                                                                                                                                                                                                                                                                                                                   | Approval Type |
|----------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                                          |             | providing loans with terms of 45 days or less                                                                                                                                                                                                                                                                                                                                 |               |
| precious metal buyers                                                                                    | 2224        | Businesses providing cash for gold and other precious metals or gems (excludes retail jewelers)                                                                                                                                                                                                                                                                               | P             |
| Investment banking, securities, and brokerages; insurance; fund, trust, or other financial establishment | 2230-2250   | Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries                                                                                                                                                                                               | P             |
| Real estate services                                                                                     | 2310        | Sell or lease real estate such as buildings, manufactured home sites and vacant lots; includes real estate appraisers and realtor offices                                                                                                                                                                                                                                     | P             |
| Property management services                                                                             | 2320        | Manage real property for others                                                                                                                                                                                                                                                                                                                                               | P             |
| vehicles                                                                                                 | 2331 & 2332 | Lease passenger cars, trucks, trailers, RVs, buses and aircraft; drivers not provided                                                                                                                                                                                                                                                                                         | P             |
| recreational goods rental                                                                                | 2333        | Rent skis, canoes, bicycles, sailboats, motorcycles                                                                                                                                                                                                                                                                                                                           | P             |
| commercial, industrial or consumer machinery and equipment rental                                        | 2334 - 2335 | Rent or lease:<br>a) office machinery and equipment; heavy equipment without operators used for construction, well-drilling; other machinery and equipment for uses such as manufacturing or telecommunications; operators not included (note: see 2337 for heavy equipment leasing)<br>b) personal and household-type goods and a range of equipment geared toward consumers | P             |
| Professional offices                                                                                     | 2411-2014   | Title abstract, lawyers, notaries, accountants, bookkeeping, payroll services, architects, engineers, surveyors, graphic design, interior design and industrial design                                                                                                                                                                                                        | P             |

| <b>Land Use</b>                                                          | <b>LBCS #</b>           | <b>Description</b>                                                                                                                                           | <b>Approval Type</b> |
|--------------------------------------------------------------------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>consulting services (management, environmental technical)</b>         | <b>2415</b>             | Advise and assist businesses on management, scientific, and technological issues                                                                             | P                    |
| <b>scientific research and development services</b>                      | <b>2416</b>             | Conduct research or analyze in the physical, engineering, cognitive, or life sciences in laboratories or offices.                                            | P                    |
| <b>advertising, media and photography services</b>                       | <b>2417</b>             | Includes advertising, marketing and public relations agencies, photographic studios and photographic services.                                               | P                    |
| <b>veterinary services</b>                                               | <b>2418</b>             | Veterinary medicine, testing services for veterinary practitioners                                                                                           | P                    |
| <b>other professional offices</b>                                        | <b>2419, 6810, 6820</b> | Includes advertising and media services intellectual property rights, franchising, labor, political or business organizations, and uses with similar impacts | P                    |
| <b>office administrative services</b>                                    | <b>2421</b>             | Office administration such as billing, record keeping, personnel, organizational planning                                                                    | P                    |
| <b>facilities support services</b>                                       | <b>2422</b>             | Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.                            | P                    |
| <b>employment agency</b>                                                 | <b>2423a</b>            | Provide employee placement, temporary help                                                                                                                   | P                    |
| <b>hiring hall</b>                                                       | <b>2423b</b>            | Place of assembly for the registration or assignment of employment                                                                                           | P                    |
| <b>copy center, private mail center, other business support services</b> | <b>2424</b>             | Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, internet access, small signs and banners               | P                    |
| <b>collection agency</b>                                                 | <b>2425</b>             | Collect payments, compile credit information, repossess tangible assets                                                                                      | P                    |
| <b>Travel arrangement and</b>                                            | <b>2430</b>             | Promote or sell travel, includes convention                                                                                                                  | P                    |

| Land Use                                              | LBCS #           | Description                                                                                                                                                                 | Approval Type |
|-------------------------------------------------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| reservation services                                  |                  | and visitors' bureaus                                                                                                                                                       |               |
| Investigation and security services                   | 2440             | Provide detective, guard and patrol services, picking up and delivery of money, selling of security systems, remote monitoring of security systems, locksmiths              | P             |
| Services to buildings and dwellings                   | 2450             | Provide pest control, janitorial services, landscaping, carpet cleaning, etc. (2451-2454)                                                                                   | P             |
| packing, crating                                      | 2455             |                                                                                                                                                                             | P             |
| Restaurants, cafeterias, snack bars & catering        | 2510-2530 & 2560 | Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.         | P             |
| Mobile food services                                  | 2550             | Prepare and serve meals and snacks for immediate consumption from motorized vehicles                                                                                        | P             |
| Food service contractor and vending machine operators | 2570 & 2580      | Provide food services at institutional, governmental, commercial, or industrial locations based on contracts. Retail merchandise through vending machines that they service | P             |
| Personal care                                         | 2610             | Hair, nail, and skin care and related personal care, barbers, beauty shops, dieting and weight loss, tanning, hair removal, hair weaving, ear piercing and similar services | P             |
| laundromat and dry cleaning                           | 2621 & 2622      | Includes Laundromats, dry cleaners, diaper services as well as other commercial laundry services                                                                            | P             |
| linen and uniform supply                              | 2623             |                                                                                                                                                                             | P             |
| Photofinishing                                        | 2630             | Primarily engaged in developing film or making slides, etc.                                                                                                                 | P             |

| Land Use                                          | LBCS #      | Description                                                                                                                                                                       | Approval Type |
|---------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Parking lot and parking garage                    | 2640        | See district standards                                                                                                                                                            | P             |
| licensed massage therapist                        | 2651        |                                                                                                                                                                                   | P             |
| tattoo parlor                                     | 2652        | Tattoos by a licensed professional                                                                                                                                                | P             |
| adult retail establishment                        | 2653        | Stores primarily selling adult oriented products, including books, videos, magazines, toys, lingerie and other sexually-oriented goods                                            | P             |
| Pet or pet supply store                           | 2710        | Retail pets, pet foods, pet supplies                                                                                                                                              | P             |
| animal services                                   | 2721        | grooming and training                                                                                                                                                             | P             |
| animal boarding                                   | 2722        | sitting and boarding                                                                                                                                                              | P             |
| pet cemetery                                      | 2723        |                                                                                                                                                                                   | P             |
| Food and beverages                                | 3110        | Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting                          | P             |
| Textiles, leather and leather substitute products | 3130 & 3140 | Textile mills, apparel manufacturers and canvas making; dying plants and dry cleaning plants; leather and leather substitutes such as rubber footwear (excluding leather tanning) | P             |
| Furniture and related products                    | 3230        | Includes manufacture and repair of furniture, upholstery, mattresses, window blinds, window shades, awnings cabinets, fixtures                                                    | P             |
| Signs                                             | 3440        | Manufacturing of signs to be erected or installed (excludes banner printing)                                                                                                      | P             |
| Blacksmith                                        |             | Creation of objects from wrought iron steel, such as gates, railings, furniture, and other functional and decorative items                                                        | P             |
| Wholesale Trade Establishment                     | 3500        | Normally operate from a warehouse or office,                                                                                                                                      | P             |

| Land Use                                                                           | LBCS #                    | Description                                                                                                                                                                                           | Approval Type |
|------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                    |                           | selling or arranging the purchase of goods to other businesses                                                                                                                                        |               |
| Office and warehousing                                                             | 3610                      | Storage of goods related to on-site office or retail use                                                                                                                                              | P             |
| Warehousing                                                                        | 3620                      | Storage of goods as the principal use; includes mini-warehouses, self-storage facilities and moving companies                                                                                         | P             |
| rail passenger transportation                                                      | 4121                      | Passenger stations only                                                                                                                                                                               | P             |
| local transit systems—bus, special needs, sightseeing, taxi and limousine services | 4133 - 4134 & 4136 - 4137 | Single-mode local and non-local transit systems other than rail; excludes transit stops, which are allowed in all districts. Includes sightseeing, taxi and limousine services                        | P             |
| towing and other road and ground services                                          | 4138                      | Tow vehicles                                                                                                                                                                                          | P             |
| Truck and freight transportation services                                          | 4140                      | Provide over-the-road transportation of cargo using motor vehicles and temporary storage                                                                                                              | C             |
| national post office                                                               | 4181                      |                                                                                                                                                                                                       | P             |
| retail courier and package delivery                                                | 4182                      | Retail courier, package drop-off and mail services                                                                                                                                                    | P             |
| Courier and messenger services                                                     | 4190                      | Provide air, surface, or combined courier delivery services of Parcels and messages (excludes retail package drop-off and local courier services)                                                     | P             |
| Publishing                                                                         | 4210 & 4221               | Issue copies of works for which they usually possess copyright, including printing plants, motion picture and audio publishing. Includes newspaper publishing, greeting card printing and lithography | P             |
| Motion pictures and sound                                                          | 4220                      | Produce and distribute motion pictures and                                                                                                                                                            | P             |

| Land Use                                                     | LBCS #                 | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Approval Type |
|--------------------------------------------------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| recording                                                    |                        | sound recordings                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |
| radio and television broadcasting                            | 4231, 4232 & 4241      | Operate broadcasting studios and facilities for over the air, cable or satellite delivery of radio and television programs                                                                                                                                                                                                                                                                                                                                                                                                                                               | P             |
| wireless telecommunications transmission                     | 4233                   | Operate, maintain or provide access to facilities for the transmission of voice, data, text, sound or video, see <a href="#">section 35.2-73</a> for telecommunications ordinance                                                                                                                                                                                                                                                                                                                                                                                        | C/P           |
| telephone and other wired telecommunications                 | 4234                   | Operate telephone networks - excludes switching stations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | P             |
| Telecommunications switching stations/exchanges              | 4239                   | Telecommunications switching stations and exchanges with no on-site employees                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | C             |
| library or archive                                           | 4242                   | Provide library or archive services                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | P             |
| news syndicate                                               | 4243                   | Supply information such as news reports, articles, pictures and features to the news media                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | P             |
| data processing and management, hosting and related services | 4244                   | Web hosting, computer data storage, optical scanning, computer input preparation, microfilm imaging                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | P             |
| Public Utilities Services, Major                             | 4315, 4329, 4339, 4349 | Includes transmission lines for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission of a regional nature and normally entail the construction of new buildings or structures such as electrical switching facilities and stations or substations, electric, gas, and other utility transmission lines of a regional nature which are not otherwise reviewed and approved by the Virginia State Corporation Commission. All overhead transmission lines are included in this definition. | C             |
| Public Utilities Service Minor                               | 4315,                  | Includes distribution or collection lines and                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | P             |

| Land Use                                                                           | LBCS #                  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Approval Type |
|------------------------------------------------------------------------------------|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                    | <b>4329, 4339, 4349</b> | appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures. |               |
| <b>electric substations</b>                                                        | <b>4316</b>             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | C             |
| <b>Water treatment plants and utility facilities</b>                               | <b>4331 - 4333,</b>     | Water treatment plants, pumping stations and lift stations                                                                                                                                                                                                                                                                                                                                                                                                                                   | C             |
| <b>recycling collection centers</b>                                                | <b>4349</b>             | Drop-off facilities for the collection of recycled goods                                                                                                                                                                                                                                                                                                                                                                                                                                     | P             |
| <b>Theater, dance or music establishment</b>                                       | <b>5110 &amp; 5160</b>  | Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers                                                                                                                                                                                                                                                                                                     | P             |
| <b>Motion picture viewing and exhibition services</b>                              | <b>5111</b>             | Operate movie theaters (excludes drive-ins), film festival exhibitions                                                                                                                                                                                                                                                                                                                                                                                                                       | P             |
| <b>Promoter of sports, performing arts, similar events and management services</b> | <b>5140 - 5150</b>      | Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers                                                                                                                                                                                                                                                                                                                                                                                | P             |
| <b>Indoor auditorium or arena</b>                                                  | <b>5170</b>             | Indoor auditoriums, arenas, conference centers, or multipurpose facilities                                                                                                                                                                                                                                                                                                                                                                                                                   | C             |
| <b>Outdoor auditorium/arenas</b>                                                   | <b>5180</b>             | Outdoor arenas, stadiums and theaters                                                                                                                                                                                                                                                                                                                                                                                                                                                        | C             |
| <b>Museums and Other Special Purpose Recreational Institutions</b>                 | <b>5200</b>             | Public and private museums, historical sites, and similar establishments                                                                                                                                                                                                                                                                                                                                                                                                                     | P             |

| Land Use                                   | LBCS #            | Description                                                                                                                                                                                             | Approval Type |
|--------------------------------------------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Amusement or theme park establishment      | 5310              | Operate a variety of attractions such as mechanical rides, water rides, games                                                                                                                           | C             |
| Commercial Amusements                      | 5320, 5380, 5390  | Operate arcades and other commercial amusements as defined herein                                                                                                                                       | P             |
| Country Club                               | 5340 & 6830       | Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings | P             |
| fitness and recreational sports center     | 5371              | Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building    | P             |
| outdoor recreation                         | 5372, 5373 & 5374 | Includes for profit golf courses, archery ranges, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding                                   | P             |
| shooting ranges, indoor                    | 5375              |                                                                                                                                                                                                         | C             |
| Camps, Camping, and Related Establishments | 5400              | Operate sites to accommodate campers and their equipment, provide overnight recreational camps, may provide cabins, food services, washrooms, spaces for overnight parking or recreational vehicles     | C             |
| Natural and other Recreational Parks       | 5500              | All parks without special economic functions, other than limited concessions                                                                                                                            | P             |
| Nursery or preschool                       | 6110              |                                                                                                                                                                                                         | P             |
| Grade school                               | 6120              | Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere. See district use standards.                 | P             |

| Land Use                                           | LBCS #                | Description                                                                                                                               | Approval Type |
|----------------------------------------------------|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| College or university                              | 6130                  | See district use standards.                                                                                                               | P             |
| general technical schools                          | 6141-6143, 6145, 6147 | Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities     | P             |
| driving education                                  | 6144                  |                                                                                                                                           | P             |
| Other Government Functions                         | 6300                  | Other government owned establishments not classified elsewhere such as defense and national guard establishments                          | P             |
| Public Safety                                      | 6400                  | Government-owned establishments providing fire and rescue, police, and emergency response services                                        | P             |
| clinic                                             | 6511 & 6567           | Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans' affairs services             | P             |
| outpatient care clinic                             | 6512                  | Provide outpatient family planning services and outpatient care                                                                           | P             |
| <u>abortion clinic</u>                             | <u>6512a</u>          | <u>Abortion clinics – as defined in Section 35.2-113</u><br><br><u>(see standards in Section 35.2-72.28)</u>                              | <u>C</u>      |
| medical or diagnostic laboratory; blood/organ bank | 6513 - 6514           | Provide analytic or diagnostic services including medical imaging                                                                         | P             |
| group home small                                   | 6522                  | Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities | P             |
| group home large                                   | 6523                  | Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities          | P             |

| Land Use                        | LBCS # | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Approval Type |
|---------------------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Hospital                        | 6530   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | P             |
| child and adult day care        | 6562   | Provide day care for children and adults                                                                                                                                                                                                                                                                                                                                                                                                                                                       |               |
| home                            | 6562a  | Day care for fewer than six (6) individuals in a residence                                                                                                                                                                                                                                                                                                                                                                                                                                     | P             |
| small                           |        | Day care for six (6) to twelve (12) individuals in a residence                                                                                                                                                                                                                                                                                                                                                                                                                                 | P             |
| large                           | 6562c  | Provide care for more than 12 individuals                                                                                                                                                                                                                                                                                                                                                                                                                                                      | P             |
| Religious Institutions          | 6600   | Churches, temples, synagogues, mosques, convents and monasteries                                                                                                                                                                                                                                                                                                                                                                                                                               | P             |
| Death Care Services             | 6700   | Funeral homes, crematories, cemeteries                                                                                                                                                                                                                                                                                                                                                                                                                                                         |               |
| Funeral home and services       | 6710   | Includes funeral homes combined with crematories                                                                                                                                                                                                                                                                                                                                                                                                                                               | P             |
| free-standing cemetery          | 6722   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | P             |
| columbarium                     | 6724   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | P             |
| Construction-Related Businesses | 7000   | Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may limit or preclude manufacturing, outdoor operations, outdoor storage of commercial vehicles and materials. | P             |
| Vegetable farming or growing    | 9120   | Includes private fields and community gardens with production limited to retail sales                                                                                                                                                                                                                                                                                                                                                                                                          | P             |
| Commercial orchards             | 9130   | Includes fruit and nut trees with production                                                                                                                                                                                                                                                                                                                                                                                                                                                   | P             |

| Land Use                                                                             | LBCS # | Description                                                                                                                                             | Approval Type |
|--------------------------------------------------------------------------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                      |        | limited to retail sales                                                                                                                                 |               |
| Greenhouse - no on-premises sales                                                    | 9141   | Commercial greenhouse production                                                                                                                        | P             |
| Greenhouse - sales of products grown on premises                                     | 9142   |                                                                                                                                                         | P             |
| Greenhouse - sales of products and related accessory products                        | 9143   |                                                                                                                                                         | P             |
| Animal Production                                                                    | 9300   | Keep, graze, breed or feed animals (see standards in <a href="#">section 35.2-71.7</a> )                                                                | P             |
| tent revival meetings/transient amusements                                           | 9921   | Includes temporary carnivals and circuses sponsored by non-profit organizations (see <a href="#">section 35.2-72.23</a> )                               | P             |
| temporary outdoor promotional attractions                                            | 9922   | Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see <a href="#">section 35.2-72.23</a> ) | P             |
| traditional neighborhood development                                                 | 9952   | See <a href="#">section 35.2-82</a>                                                                                                                     | C             |
| large scale retail establishments                                                    | 9954   | See <a href="#">section 35.2-84</a>                                                                                                                     | P             |
| cluster commercial development                                                       | 9955   | See <a href="#">section 35.2-85</a>                                                                                                                     | C             |
| flex space development                                                               | 9956   | See <a href="#">section 35.2-86</a>                                                                                                                     | C             |
| corporate campus                                                                     | 9957   | See <a href="#">section 35.2-87</a>                                                                                                                     | C             |
| Billboards - only existing billboards allowed per <a href="#">section 35.2-64.16</a> | 9990   | Billboards and other signs advertising goods and services not available on the site where the sign is located                                           | P             |

4. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Section 35.2-50.2 of Article IV of Chapter 35.2 as follows:

**Sec. 35.2-50.2. - Authorized uses.**

- (a) The uses authorized by Exhibit IV-23 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in VII as well as other applicable rules and regulations.
- (b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.
- (c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.
- (d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

**Exhibit IV-23: Authorized Uses in IN-2 District**

| Land Use                              | LBCS #       | Description                                                                                                                                                                                                             | Approval Type |
|---------------------------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>single-household detached</b>      | <b>1111S</b> | Typical single-household dwelling                                                                                                                                                                                       | P             |
| <b>modular home</b>                   | <b>1114S</b> | A prefabricated home without axles or frames (see definitions)                                                                                                                                                          | P             |
| <b>manufactured home</b>              | <b>1115S</b> | A structure, transportable in one (1) or more sections, built after 1978 on a permanent chassis, and designed for use with or without a permanent foundation when connected to the required utilities (see definitions) | C             |
| <b>manufactured home community</b>    | <b>1116S</b> | Includes manufactured home subdivision and manufactured home parks with 5 or more lots or sites (see definitions)                                                                                                       | C             |
| <b>Two-household (duplex)</b>         | <b>1121S</b> | A building located on one (1) zoning lot containing not more than two (2) dwelling units                                                                                                                                | P             |
| <b>single-household semi-detached</b> | <b>1122S</b> | One of two dwellings separated by a party wall,                                                                                                                                                                         | P             |

| Land Use                                       | LBCS #       | Description                                                                                                                                                                                                    | Approval Type |
|------------------------------------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                |              | on abutting lots                                                                                                                                                                                               |               |
| <b>single-household attached (townhouse)</b>   | <b>1140S</b> | Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered                                                                                                                        | P             |
| <b>Multi-household structures</b>              | <b>1200S</b> | Includes triplexes, four-plexes, and other multi-household dwellings                                                                                                                                           | P             |
| <b>Mixed-use residential structures</b>        | <b>1201S</b> | Typically commercial uses on lower floors and residential uses on upper floors                                                                                                                                 | P             |
| <b>Housing Services</b>                        | <b>1200</b>  | Housing and custodial services for those who cannot care for themselves. Includes nursing and retirement homes, congregate living, assisted and continuing care living, but excludes rehab uses in LBCS #6520) | P             |
| <b>Bed &amp; Breakfast and Tourist Homes</b>   | <b>1310</b>  | Guest rooms in a private home or accessory building to a private home                                                                                                                                          | P             |
| <b>boarding house</b>                          | <b>1321</b>  | Non-transient lodging that may include meals and is owner occupied                                                                                                                                             | P             |
| <b>rooming house</b>                           | <b>1322</b>  | Transient or non-transient lodging that may include meals                                                                                                                                                      | P             |
| <b>dormitory, sorority or fraternity house</b> | <b>1323</b>  | Allowed only as accessory uses to and owned by a college or university                                                                                                                                         | P             |
| <b>Hotel, motel, or tourist court</b>          | <b>1330</b>  | Hotels that do not have gambling services; includes extended-stay hotels                                                                                                                                       | P             |
| <b>Short Term Rental</b>                       | <b>1350</b>  | Provision of lodging for fewer than thirty (30)                                                                                                                                                                | P             |

| Land Use                                                                                                                                                          | LBCS #           | Description                                                                                                                                                                                                                                                                                                                                                 | Approval Type |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                                                                                                   |                  | consecutive days. (See <a href="#">Section 35.2-71.16</a> )                                                                                                                                                                                                                                                                                                 |               |
| <b>car, motorcycle, manufactured homes or RV dealer</b>                                                                                                           | <b>2111-2113</b> | New or used automobiles, light trucks, motorcycles, RV's, manufactured homes, and buses                                                                                                                                                                                                                                                                     | P             |
| <b>bicycles</b>                                                                                                                                                   | <b>2113b</b>     | New or used bicycle sales, rental and repair                                                                                                                                                                                                                                                                                                                | P             |
| <b>boat or marine craft dealer</b>                                                                                                                                | <b>2114</b>      | New or used boats sales, rental and related repair services                                                                                                                                                                                                                                                                                                 | P             |
| <b>parts, accessories, or tires</b>                                                                                                                               | <b>2115</b>      | Automotive parts and supply stores, automotive stereo stores.                                                                                                                                                                                                                                                                                               | P             |
| <b>gasoline service</b>                                                                                                                                           | <b>2116</b>      | Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair                                                                                                                                                                                                                                | P             |
| <b>light auto repair</b>                                                                                                                                          | <b>2117a</b>     | Oil change, light auto repair and car wash. May include gasoline and other retail sales                                                                                                                                                                                                                                                                     | P             |
| <b>heavy auto repair</b>                                                                                                                                          | <b>2117b</b>     | Auto repair, paint and body shops. May include gasoline and other retail sales.                                                                                                                                                                                                                                                                             | P             |
| <b>furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances</b> | <b>2121-2125</b> | Furniture, flooring, bedding stores; home building and repair supplies, painting supplies, farm goods, lighting supply, window treatment; nursery and garden products predominantly grown elsewhere, power equipment sales or services; large variety stores; household-type appliances, television, stereos, including repair shops and cell phone stores. | P             |

| Land Use                                                                                                                                                                                    | LBCS #           | Description                                                                                                                                                                                                                                                                                                           | Approval Type |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>lumber yard and building materials; heating and plumbing equipment; heavy equipment</b>                                                                                                  | <b>2126-2128</b> | Lumber yards and heavy building materials; heating and plumbing equipment retailers; for heating and plumbing contractors who install or service, use the appropriate construction category; construction equipment and vehicles; includes authorized storage (3650)                                                  | P             |
| <b>computer and software</b>                                                                                                                                                                | <b>2131</b>      | Computers and prepackaged software including repair, support, and training                                                                                                                                                                                                                                            | P             |
| <b>camera and photographic supplies; clothing, jewelry, luggage, shoes, clocks, sewing; sporting goods, toy and hobby, and musical instruments; mixed media, school and office supplies</b> | <b>2132-2135</b> | Primarily retail cameras and photographic supplies or retail with repair and film developing; clothing (including shoe repair and tailoring, sporting goods, toys, musical instruments, kitchen goods, books, magazines, music, videos, stationary, greeting cards, seasonal decorations, office and school supplies. | P             |
| <b>florist, art supplies, tobacco products</b>                                                                                                                                              | <b>2141-2143</b> | Florists, art supplies and art dealers, frame shops, tobacco products                                                                                                                                                                                                                                                 | P             |
| <b>art galleries</b>                                                                                                                                                                        | <b>2142b</b>     | Excludes art supply sales and retail framing services                                                                                                                                                                                                                                                                 | P             |
| <b>mail order or direct selling establishment</b>                                                                                                                                           | <b>2144</b>      | Retailing other than through locations where shoppers physically visit                                                                                                                                                                                                                                                | P             |
| <b>antique shop</b>                                                                                                                                                                         | <b>2145</b>      | Antique shops, (excludes flea markets, thrift stores and pawn shops)                                                                                                                                                                                                                                                  | P             |
| <b>flea markets and thrift stores</b>                                                                                                                                                       | <b>2145b</b>     | Flea markets, consignment shops and thrift stores                                                                                                                                                                                                                                                                     | P             |

| Land Use                                                                        | LBCS #    | Description                                                                                                                                                                                                                                                                                                               | Approval Type |
|---------------------------------------------------------------------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| grocery store, supermarket, or bakery, convenience store, specialty food stores | 2151-2154 | Included are grocery stores, convenience stores, meat, seafood and produce markets, coffee, confections, variety goods and general stores, and delicatessens. Excludes stores with fuel pumps (see 2116 for fuel sales).                                                                                                  | P             |
| beer, wine, and liquor store                                                    | 2155      |                                                                                                                                                                                                                                                                                                                           | P             |
| Health and personal care                                                        | 2160      | Retail prescription or nonprescription drugs; retail cosmetics, perfumes, toiletries; prescription or nonprescription eyeglasses; prescription or nonprescription health and convalescent aids; medical devices, retail food supplement products such as vitamins, nutrition supplements, and body enhancing supplements. | P             |
| Markets for farm produce or crafts                                              | 2199      | Markets and truck gardens.                                                                                                                                                                                                                                                                                                | P             |
| Bank, credit union, or savings institution                                      | 2210      | Central banking functions                                                                                                                                                                                                                                                                                                 | P             |
| credit card and other financing                                                 | 2221      | Credit card, sales financing, unsecured consumer lending, real estate credit, mortgages, international trade financing                                                                                                                                                                                                    | P             |
| pawn shops                                                                      | 2222      |                                                                                                                                                                                                                                                                                                                           | P             |
| short-term loans                                                                | 2223      | Pay-day lenders and other businesses providing loans with terms of 45 days or less                                                                                                                                                                                                                                        | P             |
| precious metal buyers                                                           | 2224      | Businesses providing cash for gold and other precious metals or gems (excludes retail                                                                                                                                                                                                                                     | P             |

| Land Use                                                                                                        | LBCS #                 | Description                                                                                                                                                                                                                                                                                                                                                                   | Approval Type |
|-----------------------------------------------------------------------------------------------------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                                                                 |                        | jewelers)                                                                                                                                                                                                                                                                                                                                                                     |               |
| <b>Investment banking, securities, and brokerages; insurance; fund, trust, or other financial establishment</b> | <b>2230-2250</b>       | Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries                                                                                                                                                                                               | P             |
| <b>Real estate services</b>                                                                                     | <b>2310</b>            | Sell or lease real estate such as buildings, manufactured home sites and vacant lots; includes real estate appraisers and realtor offices                                                                                                                                                                                                                                     | P             |
| <b>Property management services</b>                                                                             | <b>2320</b>            | Manage real property for others                                                                                                                                                                                                                                                                                                                                               | P             |
| <b>vehicles</b>                                                                                                 | <b>2331 &amp; 2332</b> | Lease passenger cars, trucks, trailers, RVs, buses and aircraft; drivers not provided                                                                                                                                                                                                                                                                                         | P             |
| <b>recreational goods rental</b>                                                                                | <b>2333</b>            | Rent skis, canoes, bicycles, sailboats, motorcycles                                                                                                                                                                                                                                                                                                                           | P             |
| <b>commercial, industrial or consumer machinery and equipment rental</b>                                        | <b>2334 - 2335</b>     | Rent or lease:<br>a) office machinery and equipment; heavy equipment without operators used for construction, well-drilling; other machinery and equipment for uses such as manufacturing or telecommunications; operators not included (note: see 2337 for heavy equipment leasing)<br>b) personal and household-type goods and a range of equipment geared toward consumers | P             |
| <b>Professional offices</b>                                                                                     | <b>2411-2014</b>       | Title abstract, lawyers, notaries, accountants, bookkeeping, payroll services, architects, engineers, surveyors, graphic design, interior design and industrial design                                                                                                                                                                                                        | P             |

| <b>Land Use</b>                                                          | <b>LBCS #</b>           | <b>Description</b>                                                                                                                                           | <b>Approval Type</b> |
|--------------------------------------------------------------------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>consulting services (management, environmental technical)</b>         | <b>2415</b>             | Advise and assist businesses on management, scientific, and technological issues                                                                             | P                    |
| <b>scientific research and development services</b>                      | <b>2416</b>             | Conduct research or analyze in the physical, engineering, cognitive, or life sciences in laboratories or offices.                                            | P                    |
| <b>advertising, media and photography services</b>                       | <b>2417</b>             | Includes advertising, marketing and public relations agencies, photographic studios and photographic services.                                               | P                    |
| <b>veterinary services</b>                                               | <b>2418</b>             | Veterinary medicine, testing services for veterinary practitioners                                                                                           | P                    |
| <b>other professional offices</b>                                        | <b>2419, 6810, 6820</b> | Includes advertising and media services intellectual property rights, franchising, labor, political or business organizations, and uses with similar impacts | P                    |
| <b>office administrative services</b>                                    | <b>2421</b>             | Office administration such as billing, record keeping, personnel, organizational planning                                                                    | P                    |
| <b>facilities support services</b>                                       | <b>2422</b>             | Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.                            | P                    |
| <b>employment agency</b>                                                 | <b>2423a</b>            | Provide employee placement, temporary help                                                                                                                   | P                    |
| <b>hiring hall</b>                                                       | <b>2423b</b>            | Place of assembly for the registration or assignment of employment                                                                                           | P                    |
| <b>copy center, private mail center, other business support services</b> | <b>2424</b>             | Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, internet access, small signs                           | P                    |

| Land Use                                                     | LBCS #                      | Description                                                                                                                                                                 | Approval Type |
|--------------------------------------------------------------|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                              |                             | and banners.                                                                                                                                                                |               |
| <b>collection agency</b>                                     | <b>2425</b>                 | Collect payments, compile credit information, repossess tangible assets                                                                                                     | P             |
| <b>Travel arrangement and reservation services</b>           | <b>2430</b>                 | Promote or sell travel, includes convention and visitors' bureaus                                                                                                           | P             |
| <b>Investigation and security services</b>                   | <b>2440</b>                 | Provide detective, guard and patrol services, picking up and delivery of money, selling of security systems, remote monitoring of security systems, locksmiths              | P             |
| <b>Services to buildings and dwellings</b>                   | <b>2450</b>                 | Provide pest control, janitorial services, landscaping, carpet cleaning, etc. (2451-2454)                                                                                   | P             |
| <b>packing, crating</b>                                      | <b>2455</b>                 |                                                                                                                                                                             | P             |
| <b>Restaurants, cafeterias, snack bars &amp; catering</b>    | <b>2510-2530 &amp; 2560</b> | Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.         | P             |
| <b>Mobile food services</b>                                  | <b>2550</b>                 | Prepare and serve meals and snacks for immediate consumption from motorized vehicles                                                                                        | P             |
| <b>Food service contractor and vending machine operators</b> | <b>2570 &amp; 2580</b>      | Provide food services at institutional, governmental, commercial, or industrial locations based on contracts. Retail merchandise through vending machines that they service | P             |

| Land Use                          | LBCS #      | Description                                                                                                                                                                 | Approval Type |
|-----------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Personal care                     | 2610        | Hair, nail, and skin care and related personal care, barbers, beauty shops, dieting and weight loss, tanning, hair removal, hair weaving, ear piercing and similar services | P             |
| laundromat and dry cleaning       | 2621 & 2622 | Includes Laundromats, dry cleaners, diaper services as well as other commercial laundry services                                                                            | P             |
| linen and uniform supply          | 2623        |                                                                                                                                                                             | P             |
| Photofinishing                    | 2630        | Primarily engaged in developing film or making slides, etc.                                                                                                                 | P             |
| Parking lot and parking garage    | 2640        | See district standards                                                                                                                                                      | P             |
| licensed massage therapist        | 2651        |                                                                                                                                                                             | P             |
| tattoo parlor                     | 2652        | Tattoos by a licensed professional                                                                                                                                          | P             |
| adult establishment, retail sales | 2653        | Stores primarily selling adult oriented products, including books, videos, magazines, toys, lingerie and other sexually-oriented goods                                      | P             |
| Pet or pet supply store           | 2710        | Retail pets, pet foods, pet supplies                                                                                                                                        | P             |
| animal services                   | 2721        | grooming and training                                                                                                                                                       | P             |
| animal boarding                   | 2722        | sitting and boarding                                                                                                                                                        | P             |
| pet cemetery                      | 2723        |                                                                                                                                                                             | P             |

| Land Use                                          | LBCS #      | Description                                                                                                                                                                       | Approval Type |
|---------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Food and beverages                                | 3110        | Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting                          | P             |
| Textiles, leather and leather substitute products | 3130 & 3140 | Textile mills, apparel manufacturers and canvas making; dying plants and dry cleaning plants; leather and leather substitutes such as rubber footwear (excluding leather tanning) | P             |
| Furniture and related products                    | 3230        | Includes manufacture and repair of furniture, upholstery, mattresses, window blinds, window shades, awnings cabinets, fixtures                                                    | P             |
| Signs                                             | 3440        | Manufacturing of signs to be erected or installed (excludes banner printing)                                                                                                      | P             |
| Blacksmith                                        |             | Creation of objects from wrought iron steel, such as gates, railings, furniture, and other functional and decorative items                                                        | P             |
| Wholesale Trade Establishment                     | 3500        | Normally operate from a warehouse or office, selling or arranging the purchase of goods to other businesses                                                                       | P             |
| Warehousing and Storage Services                  | 3600        | Operate warehouse and storage facilities for general merchandise, refrigerated goods                                                                                              |               |
| Office and warehousing                            | 3610        | Storage of goods related to on-site office or retail use                                                                                                                          | P             |
| Warehousing                                       | 3620        | Storage of goods as the principal use; includes mini-warehouses, self-storage facilities and moving companies                                                                     | P             |

| <b>Land Use</b>                                                                           | <b>LBCS #</b>                        | <b>Description</b>                                                                                                                                                                                    | <b>Approval Type</b> |
|-------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>rail passenger transportation</b>                                                      | <b>4121</b>                          | Passenger stations only                                                                                                                                                                               | P                    |
| <b>local transit systems—bus, special needs, sightseeing, taxi and limousine services</b> | <b>4133 - 4134 &amp; 4136 - 4137</b> | Single-mode local and non-local transit systems other than rail; excludes transit stops, which are allowed in all districts. Includes sightseeing, taxi and limousine services                        | P                    |
| <b>school and employee bus transportation</b>                                             | <b>4135</b>                          | Maintain and dispatch buses and other motor vehicles to transport pupils or employees                                                                                                                 | P                    |
| <b>towing and other road and ground services</b>                                          | <b>4138</b>                          | Tow vehicles                                                                                                                                                                                          | P                    |
| <b>Truck and freight transportation services</b>                                          | <b>4140</b>                          | Provide over-the-road transportation of cargo using motor vehicles and temporary storage                                                                                                              | C                    |
| <b>national post office</b>                                                               | <b>4181</b>                          |                                                                                                                                                                                                       | P                    |
| <b>retail courier and package delivery</b>                                                | <b>4182</b>                          | Retail courier, package drop-off and mail services                                                                                                                                                    | P                    |
| <b>Courier and messenger services</b>                                                     | <b>4190</b>                          | Provide air, surface, or combined courier delivery services of Parcels and messages (excludes retail package drop-off and local courier services)                                                     | P                    |
| <b>Publishing</b>                                                                         | <b>4210 &amp; 4221</b>               | Issue copies of works for which they usually possess copyright, including printing plants, motion picture and audio publishing. Includes newspaper publishing, greeting card printing and lithography | P                    |
| <b>Motion pictures and sound</b>                                                          | <b>4220</b>                          | Produce and distribute motion pictures and                                                                                                                                                            | P                    |

| Land Use                                                     | LBCS #                 | Description                                                                                                                                                                                                                                                                                                                        | Approval Type |
|--------------------------------------------------------------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| recording                                                    |                        | sound recordings                                                                                                                                                                                                                                                                                                                   |               |
| radio and television broadcasting                            | 4231, 4232 & 4241      | Operate broadcasting studios and facilities for over the air, cable or satellite delivery of radio and television programs                                                                                                                                                                                                         | P             |
| wireless telecommunications transmission                     | 4233                   | Operate, maintain or provide access to facilities for the transmission of voice, data, text, sound or video, see <a href="#">section 35.2-73</a> for telecommunications ordinance                                                                                                                                                  | C/P           |
| telephone and other wired telecommunications                 | 4234                   | Operate telephone networks - excludes switching stations                                                                                                                                                                                                                                                                           | P             |
| Telecommunications switching stations/exchanges              | 4239                   | Telecommunications switching stations and exchanges with no on-site employees                                                                                                                                                                                                                                                      | C             |
| library or archive                                           | 4242                   | Provide library or archive services                                                                                                                                                                                                                                                                                                | P             |
| news syndicate                                               | 4243                   | Supply information such as news reports, articles, pictures and features to the news media                                                                                                                                                                                                                                         | P             |
| data processing and management, hosting and related services | 4244                   | Web hosting, computer data storage, optical scanning, computer input preparation, microfilm imaging                                                                                                                                                                                                                                | P             |
| Public Utilities Services, Major                             | 4315, 4329, 4339, 4349 | Includes transmission lines for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission of a regional nature and normally entail the construction of new buildings or structures such as electrical switching facilities and stations or substations, | C             |

| Land Use                                             | LBCS #                        | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Approval Type |
|------------------------------------------------------|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                      |                               | electric, gas, and other utility transmission lines of a regional nature which are not otherwise reviewed and approved by the Virginia State Corporation Commission. All overhead transmission lines are included in this definition.                                                                                                                                                                                                                                                                                                      |               |
| <b>Public Utilities Service Minor</b>                | <b>4315, 4329, 4339, 4349</b> | Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures. | P             |
| <b>power generation</b>                              | <b>4315</b>                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | C             |
| <b>electric substations</b>                          | <b>4316</b>                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | P             |
| <b>Water treatment plants and utility facilities</b> | <b>4331 - 4333,</b>           | Water treatment plants, pumping stations and lift stations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | P             |
| <b>recycling collection centers</b>                  | <b>4349</b>                   | Drop-off facilities for the collection of recycled goods                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | P             |
| <b>Theater, dance or music establishment</b>         | <b>5110 &amp; 5160</b>        | Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers                                                                                                                                                                                                                                                                                                                                                   | P             |

| <b>Land Use</b>                                                                    | <b>LBCS #</b>           | <b>Description</b>                                                                                                                                                                                      | <b>Approval Type</b> |
|------------------------------------------------------------------------------------|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>Motion picture viewing and exhibition services</b>                              | <b>5111</b>             | Operate movie theaters, drive-ins, film festival exhibitions (Note: drive-in theaters limited to B-5 district)                                                                                          | P                    |
| <b>Promoter of sports, performing arts, similar events and management services</b> | <b>5140 - 5150</b>      | Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers                                                                                           | P                    |
| <b>Indoor auditorium or arena</b>                                                  | <b>5170</b>             | Indoor auditoriums, arenas, conference centers, or multipurpose facilities                                                                                                                              | C                    |
| <b>Outdoor auditorium/arenas</b>                                                   | <b>5180</b>             | Outdoor arenas, stadiums and theaters                                                                                                                                                                   | C                    |
| <b>Museums and Other Special Purpose Recreational Institutions</b>                 | <b>5200</b>             | Public and private museums, historical sites, and similar establishments                                                                                                                                | P                    |
| <b>Amusement or theme park establishment</b>                                       | <b>5310</b>             | Operate a variety of attractions such as mechanical rides, water rides, games                                                                                                                           | C                    |
| <b>Commercial Amusements</b>                                                       | <b>5320, 5380, 5390</b> | Operate arcades and other commercial amusements as defined herein                                                                                                                                       | P                    |
| <b>Country Club</b>                                                                | <b>5340 &amp; 6830</b>  | Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings | P                    |
| <b>fitness and recreational sports center</b>                                      | <b>5371</b>             | Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building    | P                    |

| Land Use                                   | LBCS #                | Description                                                                                                                                                                                         | Approval Type |
|--------------------------------------------|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| outdoor recreation                         | 5372, 5373 & 5374     | Includes for profit golf courses, archery ranges, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding                               | P             |
| shooting ranges, indoor                    | 5375                  |                                                                                                                                                                                                     | C             |
| Camps, Camping, and Related Establishments | 5400                  | Operate sites to accommodate campers and their equipment, provide overnight recreational camps, may provide cabins, food services, washrooms, spaces for overnight parking or recreational vehicles | C             |
| Natural and other Recreational Parks       | 5500                  | All parks without special economic functions, other than limited concessions                                                                                                                        | P             |
| Nursery or preschool                       | 6110                  |                                                                                                                                                                                                     | P             |
| Grade school                               | 6120                  | Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere                                          | P             |
| College or university                      | 6130                  |                                                                                                                                                                                                     | P             |
| general technical schools                  | 6141-6143, 6145, 6147 | Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities                                                               | P             |
| driving education                          | 6144                  |                                                                                                                                                                                                     | P             |
| flight training                            | 6146                  | Offer aviation and flight training                                                                                                                                                                  | P             |

| Land Use                                           | LBCS #       | Description                                                                                                                               | Approval Type |
|----------------------------------------------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| Other Government Functions                         | 6300         | Other government owned establishments not classified elsewhere such as defense and national guard establishments                          | P             |
| Public Safety                                      | 6400         | Government-owned establishments providing fire and rescue, police, and emergency response services                                        | P             |
| clinic                                             | 6511 & 6567  | Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans affairs services              | P             |
| outpatient care clinic                             | 6512         | Provide outpatient family planning services and outpatient care                                                                           | P             |
| <u>abortion clinic</u>                             | <u>6512a</u> | <u>Abortion clinics – as defined in Section 35.2-113</u><br><u>(see standards in Section 35.2-72.28)</u>                                  | <u>C</u>      |
| medical or diagnostic laboratory; blood/organ bank | 6513 - 6514  | Provide analytic or diagnostic services including medical imaging                                                                         | P             |
| group home small                                   | 6522         | Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities | P             |
| group home large                                   | 6523         | Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities          | P             |
| Hospital                                           | 6530         |                                                                                                                                           | P             |
| child and youth services                           | 6561         | Offer services such as adoption, foster care,                                                                                             | P             |

| Land Use                              | LBCS #      | Description                                                                                                                                                                                                                                                           | Approval Type |
|---------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                       |             | drug prevention services                                                                                                                                                                                                                                              |               |
| child and adult day care              | 6562        | Provide day care for children and adults                                                                                                                                                                                                                              |               |
| home                                  | 6562a       | Day care for fewer than six (6) individuals in a residence                                                                                                                                                                                                            | P             |
| small                                 | 6562b       | Day care for six (6) to twelve (12) individuals in a residence                                                                                                                                                                                                        | P             |
| large                                 | 6562c       | Provide care for more than 12 individuals                                                                                                                                                                                                                             | P             |
| care services community food services | 6563 - 6566 | Includes community food services, emergency and relief services, services for the elderly and disabled other family services; does not on-site provision of housing                                                                                                   | P             |
| Religious Institutions                | 6600        | Churches, temples, synagogues, mosques, convents and monasteries                                                                                                                                                                                                      | P             |
| Funeral home and services             | 6710        | Includes funeral homes combined with crematories                                                                                                                                                                                                                      | P             |
| free-standing cemetery                | 6722        |                                                                                                                                                                                                                                                                       | P             |
| columbarium                           | 6724        |                                                                                                                                                                                                                                                                       | P             |
| Construction-Related Businesses       | 7000        | Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, | P             |

| Land Use                                                             | LBCS #      | Description                                                                                                                                                                                                              | Approval Type |
|----------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
|                                                                      |             | manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may limit or preclude manufacturing, outdoor operations, outdoor storage of commercial vehicles and materials. |               |
| <b>Vegetable farming or growing</b>                                  | <b>9120</b> | Includes private fields and community gardens                                                                                                                                                                            | P             |
| <b>Commercial orchards</b>                                           | <b>9130</b> | Includes fruit and nut trees for commercial production                                                                                                                                                                   | P             |
| <b>Greenhouse - no on-premises sales</b>                             | <b>9141</b> | Commercial greenhouse production                                                                                                                                                                                         | P             |
| <b>Greenhouse - sales of products grown on premises</b>              | <b>9142</b> |                                                                                                                                                                                                                          | P             |
| <b>Greenhouse - sales of products and related accessory products</b> | <b>9143</b> |                                                                                                                                                                                                                          | P             |
| <b>Animal Production</b>                                             | <b>9300</b> | Keep, graze, breed or feed animals (see standards in <a href="#">section 35.2-71.7</a> )                                                                                                                                 | P             |
| <b>tent revival meetings/transient amusements</b>                    | <b>9921</b> | Includes temporary carnivals and circuses sponsored by non-profit organizations (see <a href="#">section 35.2-72.23</a> )                                                                                                | P             |
| <b>temporary outdoor promotional attractions</b>                     | <b>9922</b> | Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see <a href="#">section 35.2-72.23</a> )                                                                  | P             |
| <b>traditional neighborhood</b>                                      | <b>9952</b> | See <a href="#">section 35.2-82</a>                                                                                                                                                                                      | C             |

| Land Use                          | LBCS # | Description                                                                                                   | Approval Type |
|-----------------------------------|--------|---------------------------------------------------------------------------------------------------------------|---------------|
| development                       |        |                                                                                                               |               |
| large scale retail establishments | 9954   | See <a href="#">section 35.2-84</a>                                                                           | P             |
| cluster commercial development    | 9955   | See <a href="#">section 35.2-85</a>                                                                           | C             |
| flex space development            | 9956   | See <a href="#">section 35.2-86</a>                                                                           | C             |
| corporate campus                  | 9957   | See <a href="#">section 35.2-87</a>                                                                           | C             |
| Billboards                        | 9990   | Billboards and other signs advertising goods and services not available on the site where the sign is located | P             |

(Remainder of Page Intentionally Left Blank)

5. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by creating a new Section 35.2-72.28 of Article VII of Chapter 35.2 as follows:

**Section 35.2-72.28. - Abortion Clinics**

**Abortion clinics (see LBCS code 6512a), whether principle use or accessory to another use, shall meet the following standards:**

**(a) Districts Where Allowed**

- 1. Abortion clinics may be approved by conditional use permit (CUP) in a B-3, Community Business District, B-5, General Business District, or an Institutional District 2 (IN-2).**

**(b) Location Criteria**

- 1. No abortion clinic shall be established within one thousand (1000) feet of the following zoned districts:**
  - a. Conservation District (R-C)**
  - b. Low Density Residential District (R-1)**
  - c. Low - Medium Density Residential District (R-2)**
  - d. Medium Density Residential District (R-3)**
  - e. High Density Residential District (R-4)**
  - f. Fifth Street Revitalization Corridor Overlay District (FSC)**
  - g. Historic Districts**
- 2. No abortion clinic shall be established within one thousand (1000) feet of the James River Arts and Cultural District as established by City Code Chapter 13.1 Arts and Cultural District.**
- 3. No abortion clinic shall be established within one thousand (1000) feet of any church or other place of worship, public library, public or private pre-kindergarten, elementary, middle or high school, public park, children's museum, child day care center, motel or hotel.**
- 4. The establishment of any abortion clinic as referred to herein shall include the opening of such establishment as a new establishment, the relocation of such establishment, the enlargement of such establishment in either scope or area, or the conversion, in whole or in part, of an existing establishment to an abortion clinic.**

(Remainder of Page Intentionally Left Blank)

6. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Appendix A – Table of Authorized Land Uses of Article XI of Chapter 35.2 as follows:

APPENDIX A: - TABLE OF AUTHORIZED LAND USES

Green highlight indicates use was allowed in one of two consolidated districts. Blue highlight indicates a new use in a district.

| Land Use                             | LBCS # | Description                                                                                                                                                                                                             | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|--------------------------------------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| RESIDENCE OR ACCOMMODATION FUNCTIONS | 1000   | Homes, apartments, housing for the elderly, and hotels                                                                                                                                                                  |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Detached Units                       | 1110S  |                                                                                                                                                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| single-household detached            | 1111S  | Typical single-household dwelling                                                                                                                                                                                       | P  | P   | P   | P   | P   | P   | P   |     | C   |      | P    |     |     |     |
| modular home                         | 1114S  | A prefabricated home without axles or frames (see definitions)                                                                                                                                                          | P  | P   | P   | P   | P   | P   | P   |     | C   |      | P    |     |     |     |
| manufactured home                    | 1115S  | A structure, transportable in one (1) or more sections, built after 1978 on a permanent chassis, and designed for use with or without a permanent foundation when connected to the required utilities (see definitions) | C  |     |     |     |     |     |     |     | C   |      | C    |     |     |     |
| manufactured home community          | 1116S  | Includes manufactured home subdivision and manufactured home parks with 5 or more lots or sites (see definitions)                                                                                                       |    | C   | C   | C   | C   |     |     |     |     |      | C    |     |     |     |
| Attached Units                       | 1120S  |                                                                                                                                                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                                    | LBCS # | Description                                                                                                                                                                                                    | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------------------------------------------------------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Two-household (duplex)                                                      | 1121S  | A building located on one (1) zoning lot containing not more than two (2) dwelling units                                                                                                                       |    |     |     | P   | P   | C   | C   |     | C   |      | P    |     |     |     |
| single-household semi-detached                                              | 1122S  | One of two dwellings separated by a party wall, on abutting lots                                                                                                                                               |    |     |     | P   | P   |     |     |     | C   |      | P    |     |     |     |
| single-household attached (townhouse)                                       | 1140S  | Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered                                                                                                                        |    |     |     | C   | P   | C   | C   | P   | C   |      | P    |     |     |     |
| Multi-household structures (see district regulations for limitations)       | 1200S  | Includes triplexes, four-plexes, and other multi-household dwellings                                                                                                                                           |    |     |     |     | P   | C   | C   | P   | C   |      | P    |     |     |     |
| Mixed-use residential structures (see district regulations for limitations) | 1201S  | Typically commercial uses on lower floors and residential uses on upper floors                                                                                                                                 |    |     |     |     | P   | C   | P   | P   | P   |      | P    |     |     |     |
| Housing Services                                                            | 1200   | Housing and custodial services for those who cannot care for themselves. Includes nursing and retirement homes, congregate living, assisted and continuing care living, but excludes rehab uses in LBCS #6520) |    | C   | C   | C   | C   | P   | P   | P   | P   | P    | P    |     |     |     |
| Hotels, Motels, or Other Accommodation Services                             | 1300   | Lodging and short-term accommodation for travelers                                                                                                                                                             |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Bed and Breakfast and Tourist Homes                                         | 1310   | Guest rooms in a private home or accessory building to a private home                                                                                                                                          | C  | C   | C   | C   | C   | P   | P   | P   | P   |      | P    |     |     |     |

| Land Use                                | LBCS # | Description                                                                                                                                                                                                                                            | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------------------------------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Rooming and boarding                    | 1320   | Dormitory, fraternity or sorority house or other specific group of members                                                                                                                                                                             |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| boarding house                          | 1321   | Transient or non-transient lodging that may include meals and is owner occupied                                                                                                                                                                        |    | C   | C   | C   | C   | P   | P   | P   | P   |      | P    |     |     |     |
| rooming house                           | 1322   | Transient or non-transient lodging that may include meals                                                                                                                                                                                              |    |     |     | C   | C   | P   | P   | P   | P   |      | P    |     |     |     |
| dormitory, sorority or fraternity house | 1323   | Allowed only as accessory uses to and owned by a college or university                                                                                                                                                                                 |    | C   | C   | C   | C   | C   | C   | C   | C   | P    | P    |     |     |     |
| Hotel, motel, or tourist court          | 1330   | Hotels that do not have gambling services; includes extended-stay hotels                                                                                                                                                                               |    |     |     |     |     |     | P   | P   | P   |      | P    | C   |     |     |
| Other traveler accommodations           | 1350   | Youth hostels and similar short-term lodging                                                                                                                                                                                                           | P  | P   | P   | P   | P   | P   | P   | P   | P   |      | P    |     |     |     |
| GENERAL SALES OR SERVICES               | 2000   | Comprises the vast majority of establishments associated with commercial land use                                                                                                                                                                      |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Retail Sales or Service and Repair      | 2100   | Establishments with displays of merchandise sold to the general public and other businesses, or after-sales services such as repair. Auctions are allowed where sales of items to be auctioned are allowed pursuant to applicable district regulations |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Automobile sales or service             | 2110   | Motor vehicle and parts dealers including                                                                                                                                                                                                              |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                | LBCS #           | Description                                                                                                                   | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|---------------------------------------------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| <b>establishment</b>                                    |                  | repair and maintenance                                                                                                        |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>car, motorcycle, manufactured homes or RV dealer</b> | <b>2111-2113</b> | New or used automobiles, light trucks, motorcycles, RV's, manufactured homes, and buses                                       |    |     |     |     |     |     |     |     | P   |      | P    |     |     |     |
| <b>bicycles</b>                                         | <b>2113b</b>     | New or used bicycle sales, rental and repair                                                                                  |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| <b>boat or marine craft dealer</b>                      | <b>2114</b>      | New or used boats sales, rental and related repair services                                                                   |    |     |     |     |     |     |     | P   | P   |      | P    |     |     |     |
| <b>parts, accessories, or tires</b>                     | <b>2115</b>      | Automotive parts and supply stores, automotive stereo stores.                                                                 |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>gasoline service</b>                                 | <b>2116</b>      | Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair, and heavy auto repair |    |     |     |     |     |     | P   | C   | P   |      | P    |     |     | C   |
| <b>automotive repair and maintenance</b>                | <b>2117</b>      | Repair garages, body and paint shops, oil change, car wash                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>light auto repair (automobile service station)</b>   | <b>2117a</b>     | Oil change, light auto repair and car wash. May include gasoline and other retail sales.                                      |    |     |     |     |     |     | C   | C   | P   |      | P    |     | P   | P   |
| <b>heavy auto repair</b>                                | <b>2117b</b>     | Auto repair, paint and body shops. May include gasoline and other retail sales.                                               |    |     |     |     |     |     |     | C   | P   |      | P    |     | P   | P   |
| <b>truck stop</b>                                       | <b>2118</b>      | Retailing fuels primarily to trucks or in                                                                                     |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                                                                                                                          | LBCS #           | Description                                                                                                                                                                                                                                                                                                                                                 | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                                                                                                                                                   |                  | combination with activities such as providing repair or food services                                                                                                                                                                                                                                                                                       |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Heavy consumer goods sales or service</b>                                                                                                                      | <b>2120</b>      | Heavy or durable goods sales or services                                                                                                                                                                                                                                                                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances</b> | <b>2121-2125</b> | Furniture, flooring, bedding stores; home building and repair supplies, painting supplies, farm goods, lighting supply, window treatment; nursery and garden products predominantly grown elsewhere, power equipment sales or services; large variety stores; household-type appliances, television, stereos, including repair shops and cell phone stores. |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>lumber yard and building materials; heating and plumbing equipment; heavy equipment</b>                                                                        | <b>2126-2128</b> | Lumber yards and heavy building materials; heating and plumbing equipment retailers; for heating and plumbing contractors who install or service, use the appropriate construction category; construction equipment and vehicles; includes authorized storage (3650)                                                                                        |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| <b>Durable consumer goods sales and service</b>                                                                                                                   | <b>2130</b>      | Wide range of product lines such as apparel, appliances, hardware, jewelry, etc.                                                                                                                                                                                                                                                                            |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>computer and software</b>                                                                                                                                      | <b>2131</b>      | Computers and prepackaged software including repair, support, and training                                                                                                                                                                                                                                                                                  |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>camera and photographic</b>                                                                                                                                    | <b>2132-</b>     | Primarily retail cameras and photographic                                                                                                                                                                                                                                                                                                                   |    |     |     |     |     | P   | P   | P   | P   | P    | P    |     |     |     |

| Land Use                                                                                                                                                     | LBCS #    | Description                                                                                                                                                                                                                                                                 | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| supplies; clothing, jewelry, luggage, shoes, clocks, sewing; sporting goods, toy and hobby, and musical instruments; mixed media, school and office supplies | 2135      | supplies or retail with repair and film developing; clothing (including shoe repair and tailoring, sporting goods, toys, musical instruments, kitchen goods, books, magazines, music, videos, stationary, greeting cards, seasonal decorations, office and school supplies. |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Consumer goods, other                                                                                                                                        | 2140      | Establishments that retail merchandise (except groceries or health items) not included in preceding codes                                                                                                                                                                   |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| florist, art supplies, tobacco products                                                                                                                      | 2141-2143 | Florists, art supplies and art dealers, frame shops, tobacco products                                                                                                                                                                                                       |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| art galleries                                                                                                                                                | 2142b     | Excludes art supply sales and retail framing services                                                                                                                                                                                                                       |    | C   | C   | P   | P   | P   | P   | P   | P   |      | P    |     |     |     |
| mail order or direct selling establishment                                                                                                                   | 2144      | Retailing other than through locations where shoppers physically visit                                                                                                                                                                                                      |    |     |     |     |     |     |     | P   | P   |      | P    |     | P   | P   |
| antique shop                                                                                                                                                 | 2145      | Antique shops, (excludes flea markets, thrift stores and pawn shops)                                                                                                                                                                                                        |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| flea markets and thrift stores                                                                                                                               | 2145b     | Flea markets, consignment shops and thrift stores                                                                                                                                                                                                                           |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| Grocery, food, beverage, dairy                                                                                                                               | 2150      | Retail food and beverage merchandise from fixed point-of-sale locations                                                                                                                                                                                                     |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                                        | LBCS #    | Description                                                                                                                                                                                                                                                                                                              | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|---------------------------------------------------------------------------------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| grocery store, supermarket, or bakery, convenience store, specialty food stores | 2151-2154 | Included are grocery stores, convenience stores, meat, seafood and produce markets, coffee, confections, variety goods and general stores, and delicatessens. Excludes stores with fuel pumps (see 2116 for fuel sales)                                                                                                  |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| beer, wine, and liquor store                                                    | 2155      |                                                                                                                                                                                                                                                                                                                          |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Health and personal care                                                        | 2160      | Retail prescription or nonprescription drugs; retail cosmetics, perfumes, toiletries; prescription or nonprescription eyeglasses; prescription or nonprescription health and convalescent aids; medical devices, retail food supplement products such as vitamins, nutrition supplements, and body enhancing supplements |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Markets for farm produce or crafts                                              | 2199      | Markets and truck gardens. Note that limited to goods produced on site in the RC district.                                                                                                                                                                                                                               | P  |     |     |     |     |     | C   | C   | P   |      | P    |     |     |     |
| Finance and Insurance                                                           | 2200      |                                                                                                                                                                                                                                                                                                                          |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Bank, credit union, or savings institution                                      | 2210      | Central banking functions                                                                                                                                                                                                                                                                                                |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Credit and finance businesses                                                   | 2220      |                                                                                                                                                                                                                                                                                                                          |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| credit card and other financing                                                 | 2221      | Credit card, sales financing, unsecured consumer lending, real estate credit,                                                                                                                                                                                                                                            |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |

| Land Use                                                                                                        | LBCS #           | Description                                                                                                                                                                     | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------------------------------------------------------------------------------------------------------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                                                                                                 |                  | mortgages, international trade financing                                                                                                                                        |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>pawn shops</b>                                                                                               | <b>2222</b>      |                                                                                                                                                                                 |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>short-term loans</b>                                                                                         | <b>2223</b>      | Pay-day lenders and other businesses providing loans with terms of 45 days or less                                                                                              |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>precious metal buyers</b>                                                                                    | <b>2224</b>      | Businesses providing cash for gold and other precious metals or gems (excludes retail jewelers)                                                                                 |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>Investment banking, securities, and brokerages; insurance; fund, trust, or other financial establishment</b> | <b>2230-2250</b> | Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| <b>Real Estate, Rental and Leasing</b>                                                                          | <b>2300</b>      | Rent, lease or occasionally sell assets                                                                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Real estate services</b>                                                                                     | <b>2310</b>      | Sell or lease real estate such as buildings, manufactured home sites and vacant lots; includes real estate appraisers and realtor offices                                       |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| <b>Property management services</b>                                                                             | <b>2320</b>      | Manage real property for others                                                                                                                                                 |    |     |     |     |     |     |     |     | P   |      | P    |     |     |     |
| <b>Rental and leasing</b>                                                                                       | <b>2330</b>      | Rent tangible goods such as consumer goods and mechanical equipment to customers;                                                                                               |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                                 | LBCS #                 | Description                                                                                                                                                                                                                                                                                                                                                                   | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|--------------------------------------------------------------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                                                          |                        | excludes establishment primarily renting equipment with operators                                                                                                                                                                                                                                                                                                             |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>vehicles</b>                                                          | <b>2331 &amp; 2332</b> | Lease passenger cars, trucks, trailers, RVs, buses and aircraft; drivers not provided                                                                                                                                                                                                                                                                                         |    |     |     |     |     |     | C   |     | P   |      | P    |     |     |     |
| <b>recreational goods rental</b>                                         | <b>2333</b>            | Rent skis, canoes, bicycles, sailboats, motorcycles                                                                                                                                                                                                                                                                                                                           |    |     |     |     |     |     |     | P   | P   |      | P    |     |     |     |
| <b>commercial, industrial or consumer machinery and equipment rental</b> | <b>2334 - 2335</b>     | Rent or lease:<br>a) office machinery and equipment; heavy equipment without operators used for construction, well-drilling; other machinery and equipment for uses such as manufacturing or telecommunications; operators not included (note: see 2337 for heavy equipment leasing)<br>b) personal and household-type goods and a range of equipment geared toward consumers |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| <b>heavy equipment rental</b>                                            | <b>2337</b>            | Includes construction vehicles with gross weights exceeding 26,000 pounds and agricultural vehicles                                                                                                                                                                                                                                                                           |    |     |     |     |     |     |     |     |     |      |      |     | P   | P   |
| <b>Business, Professional, Scientific, and Technical</b>                 | <b>2400</b>            | Perform professional, scientific, and technical services                                                                                                                                                                                                                                                                                                                      |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Professional services</b>                                             | <b>2410</b>            | Services provided depend on worker skills and knowledge rather than equipment                                                                                                                                                                                                                                                                                                 |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                  | LBCS #           | Description                                                                                                                                                            | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------------------------------------------------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Professional offices                                      | 2411-2414        | Title abstract, lawyers, notaries, accountants, bookkeeping, payroll services, architects, engineers, surveyors, graphic design, interior design and industrial design |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| consulting services (management, environmental technical) | 2415             | Advise and assist businesses on management, scientific, and technological issues                                                                                       |    |     |     |     |     | P   | P   | P   | P   |      | P    | P   |     |     |
| scientific research and development services              | 2416             | Conduct research or analyze in the physical, engineering, cognitive, or life sciences in laboratories or offices.                                                      |    |     |     |     |     | P   | P   | P   | P   |      | P    | P   |     |     |
| Advertising, media and photography services               | 2417             | Includes advertising, marketing and public relations agencies, photographic studios and photographic services.                                                         |    |     |     |     |     |     | P   | P   | P   |      | P    | P   |     |     |
| veterinary services                                       | 2418             | Veterinary medicine, testing services for veterinary practitioners                                                                                                     |    |     |     |     |     |     | C   | P   | P   |      | P    |     |     |     |
| other professional offices                                | 2419, 6810, 6820 | Includes advertising and media services intellectual property rights, franchising, labor, political or business organizations, and uses with similar impacts           |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Administrative services                                   | 2420             | Typical office establishments in any business area. Use as a default category for most office buildings (nursing staffing)                                             |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                          | LBCS # | Description                                                                                                                                                    | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-------------------------------------------------------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| office administrative services                                    | 2421   | Office administration such as billing, record keeping, personnel, organizational planning                                                                      |    |     |     |     |     | P   | P   | P   | P   |      | P    | P   |     |     |
| facilities support services                                       | 2422   | Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.                              |    |     |     |     |     | P   | P   | P   | P   |      | P    | P   |     |     |
| employment agency                                                 | 2423a  | Provide employee placement, temporary help                                                                                                                     |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| hiring hall                                                       | 2423b  | Place of assembly for the registration or assignment of employment                                                                                             |    |     |     |     |     |     |     |     | P   |      | P    |     |     |     |
| copy center, private mail center, other business support services | 2424   | Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, internet access, small signs and banners                 |    |     |     |     |     | P   | P   | P   | P   |      | P    | P   |     |     |
| collection agency                                                 | 2425   | Collect payments, compile credit information, repossess tangible assets                                                                                        |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Travel arrangement and reservation services                       | 2430   | Promote or sell travel, includes convention and visitors' bureaus                                                                                              |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Investigation and security services                               | 2440   | Provide detective, guard and patrol services, picking up and delivery of money, selling of security systems, remote monitoring of security systems, locksmiths |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |

| Land Use                                              | LBCS #           | Description                                                                                                                                                                 | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-------------------------------------------------------|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Services to buildings and dwellings                   | 2450             | Provide pest control, janitorial services, landscaping, carpet cleaning, etc. (2451-2454)                                                                                   |    |     |     |     |     |     |     |     | P   |      | P    |     |     |     |
| packing, crating                                      | 2455             |                                                                                                                                                                             |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| Food Services                                         | 2500             | Prepare meals, snacks, and beverages                                                                                                                                        |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Restaurants, cafeterias, snack bars & catering        | 2510-2530 & 2560 | Provide food and drinks to patrons - see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.         |    |     |     |     |     | P   | P   | P   | P   |      | P    | C   |     |     |
| Mobile food services                                  | 2550             | Prepare and serve meals and snacks for immediate consumption from motorized vehicles                                                                                        |    |     |     |     |     |     | P   | P   | P   |      | P    | P   | P   | P   |
| Food service contractor and vending machine operators | 2570 & 2580      | Provide food services at institutional, governmental, commercial, or industrial locations based on contracts. Retail merchandise through vending machines that they service |    |     |     |     |     |     |     | P   | P   |      | P    |     | P   | P   |
| Personal Services                                     | 2600             | Category for personal service establishments not classified elsewhere such as bail bonding, wedding planning, psychic services, etc.                                        |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Personal care                                         | 2610             | Hair, nail, and skin care and related personal care, barbers, beauty shops, dieting and weight loss, tanning, hair removal, hair                                            |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |

| Land Use                                            | LBCS #      | Description                                                                                                                            | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------------------------------------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                                     |             | weaving, ear piercing and similar services                                                                                             |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Dry cleaning and laundry                            | 2620        |                                                                                                                                        |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| laundromat and dry cleaning                         | 2621 & 2622 | Includes Laundromats, dry cleaners, diaper services as well as other commercial laundry services                                       |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| linen and uniform supply                            | 2623        |                                                                                                                                        |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| Photofinishing                                      | 2630        | Primarily engaged in developing film or making slides, etc.                                                                            |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Parking lot and parking garage                      | 2640        | See district standards                                                                                                                 |    |     |     | C   | C   | P   | P   | P   | P   |      | P    | P   | P   | P   |
| Special Services                                    | 2650        |                                                                                                                                        |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| licensed massage therapist                          | 2651        |                                                                                                                                        |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| tattoo parlor                                       | 2652        | Tattoos by a licensed professional                                                                                                     |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| adult retail establishment                          | 2653        | Stores primarily selling adult oriented products, including books, videos, magazines, toys, lingerie and other sexually-oriented goods |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| Pet and Animal Sales or Service (except Veterinary) | 2700        | Retails pets and other animals (except for farming purposes) and pet supplies,                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                     | LBCS #      | Description                                                                                                                                                     | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|----------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                              |             | grooming, training, and care taking                                                                                                                             |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Pet or pet supply store</b>               | <b>2710</b> | Retail pets, pet foods, pet supplies                                                                                                                            |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>Animal and pet services and kennels</b>   | <b>2720</b> | Boarding, grooming, sitting, and training (except veterinary and horse boarding)                                                                                |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>animal services</b>                       | <b>2721</b> | grooming and training                                                                                                                                           |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>animal boarding</b>                       | <b>2722</b> | sitting and boarding                                                                                                                                            |    |     |     |     |     |     | C   |     | P   |      | P    |     |     |     |
| <b>pet cemetery</b>                          | <b>2723</b> |                                                                                                                                                                 |    | C   | C   | C   | C   | C   | P   |     | P   |      | P    |     |     |     |
| <b>MANUFACTURING AND WHOLESALE TRADE</b>     | <b>3000</b> | When captive services such as accounting are provide by a separate establishment, they are classified in the appropriate function code and not in manufacturing |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Foods, Textiles, and Related Products</b> | <b>3100</b> | Produce food, tobacco, textiles, and leather                                                                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Food and beverages</b>                    | <b>3110</b> | Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting        |    |     |     |     |     |     |     | P   | P   |      | P    |     | P   | P   |
| <b>Tobacco manufacturing</b>                 | <b>3120</b> |                                                                                                                                                                 |    |     |     |     |     |     |     |     |     |      |      |     | P   | P   |

| Land Use                                                        | LBCS #      | Description                                                                                                                                                                        | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Textiles, leather and leather substitute products               | 3130 & 3140 | Textile mills, apparel manufacturers and canvas making; dyeing plants and dry cleaning plants; leather and leather substitutes such as rubber footwear (excluding leather tanning) |    |     |     |     |     |     |     |     | P   |      | P    | P   | P   | P   |
| Wood, Paper, and Printing Products                              | 3200        |                                                                                                                                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     | 0   |
| Wood products                                                   | 3210        | Except furniture                                                                                                                                                                   |    |     |     |     |     |     |     |     |     |      |      |     | P   | P   |
| Paper and printing materials                                    | 3220        | Manufactures paper and offer printing-related products                                                                                                                             |    |     |     |     |     |     |     |     |     |      |      |     | P   | P   |
| Furniture and related products                                  | 3230        | Includes manufacture and repair of furniture, upholstery, mattresses, window blinds, window shades, awnings cabinets, fixtures                                                     |    |     |     |     |     |     |     | P   | P   |      | P    |     | P   | P   |
| Chemicals, and Metals, Machinery, and Electronics Manufacturing | 3300        | Transform or refine chemicals or metals, and manufacture products from chemicals or metals                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Petroleum products                                              | 3310        | Transform crude petroleum into usable products                                                                                                                                     |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| liquid petroleum gas storage / sales                            | 3311        | This category addresses wholesale services and does not apply to incidental sales for home use                                                                                     |    |     |     |     |     |     |     |     |     |      |      |     |     | P   |

| Land Use                                                                                                                                        | LBCS #                        | Description                                                                                                                                                                                                                                                                                                                     | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| <b>Chemicals, plastic and rubber products; non-metallic mineral products, primary metal manufacturing; transportation equipment manufacture</b> | <b>3320 - 3340 &amp; 3370</b> | Manufacture inorganic chemicals, plastic or rubber products, adhesives, pharmaceuticals, wax products, insulation, bricks, ceramics, glass, cement, concrete, statuary, stone products, basic metal products, such as bars, rods, wires, and castings or finished products; produce equipment for transporting people and goods |    |     |     |     |     |     |     |     |     |      |      |     | P   | P   |
| <b>Machinery , electrical equipment, appliance, and components manufacturing</b>                                                                | <b>3350 &amp; 3360</b>        | Make machinery for particular applications, such as construction, ventilation, heating and cooling; manufacture computers, communication equipment, lighting equipment, batteries, motors, appliances, household goods and medical equipment                                                                                    |    |     |     |     |     |     |     |     |     |      |      | P   | P   | P   |
| <b>Transportation equipment and automobiles</b>                                                                                                 | <b>3370</b>                   | Produce equipment for transporting people and goods. Includes tire retreading and rebuilding. Although transportation equipment is a type of machinery, assembly tends to be distinct from the production processes common in the machinery manufacturing subsector, so these establishments are classified separately.         |    |     |     |     |     |     |     |     |     |      |      |     | P   | P   |
| <b>Miscellaneous Manufacturing</b>                                                                                                              | <b>3400</b>                   | Use for manufacturing establishments not classified elsewhere                                                                                                                                                                                                                                                                   |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Jewelry and silverware, sporting goods, toys, games and office</b>                                                                           | <b>3410-3430</b>              | Jewelry, silverware, sporting goods, toys, musical instruments, office supplies, including                                                                                                                                                                                                                                      |    |     |     |     |     |     |     |     |     |      |      | P   | P   | P   |

| Land Use                         | LBCS # | Description                                                                                                                | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|----------------------------------|--------|----------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| supplies                         |        | inks. Excludes paper mills and businesses primarily engaged in on-premises retail sales                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Signs                            | 3440   | Manufacturing of signs to be erected or installed (excludes banner printing)                                               |    |     |     |     |     |     |     |     | P   |      | P    | P   | P   | P   |
| Blacksmith                       | 3450   | Creation of objects from wrought iron steel, such as gates, railings, furniture, and other functional and decorative items |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| Wholesale Trade Establishment    | 3500   | Normally operate from a warehouse or office, selling or arranging the purchase of goods to other businesses                |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| Warehousing and Storage Services | 3600   | Operate warehouse and storage facilities for general merchandise, refrigerated goods                                       |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Office and warehousing           | 3610   | Storage of goods related to on-site office or retail use                                                                   |    |     |     |     |     |     |     | P   | P   |      | P    | P   | P   | P   |
| Warehousing                      | 3620   | Storage of goods as the principal use; includes mini-warehouses, self-storage facilities and moving companies              |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| Tank farm                        | 3630   | An area used for bulk storage of oil and other petrochemicals in above ground tanks                                        |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Underground Petroleum Storage    | 3640   | An area used for bulk storage of oil and other                                                                             |    |     |     |     |     |     |     |     |     |      |      |     |     | P   |

| Land Use                                                                 | LBCS #      | Description                                                                                                                                                                                                        | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|--------------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                                                          |             | petrochemicals in underground tanks                                                                                                                                                                                |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>TRANSPORTATION,<br/>COMMUNICATION,<br/>INFORMATION, AND UTILITIES</b> | <b>4000</b> |                                                                                                                                                                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Transportation Services</b>                                           | <b>4100</b> | Serve passengers and cargo movements                                                                                                                                                                               |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Air transportation</b>                                                | <b>4110</b> | Provide transportation for passengers or cargo using aircraft (see <a href="#">section 35.2-72.10</a> for rules related to heliports and helipads)                                                                 |    |     |     |     |     |     |     |     |     |      |      | C   | P   | P   |
| <b>Rail transportation</b>                                               | <b>4120</b> | Provide passenger and freight transportation and rail transportation support; use this category for establishments providing both transportation and support services, otherwise use the more specific subcategory |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>rail passenger transportation</b>                                     | <b>4121</b> | Passenger stations only                                                                                                                                                                                            |    |     |     |     |     |     |     | P   | P   |      | P    | P   | P   | P   |
| <b>rail freight transportation</b>                                       | <b>4122</b> | Rail yards for freight systems; excludes accessory sidings allowed within the I-2 and I-3 districts                                                                                                                |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>rail transportation support establishment</b>                         | <b>4123</b> | Provide specialized services such as repair, maintenance, loading and unloading                                                                                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                                           | LBCS #                    | Description                                                                                                                                                                    | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|------------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Road, ground passenger, and transit transportation                                 | 4130                      | Urban transit systems, charter and school bus transportation, taxis                                                                                                            |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| local transit systems—bus, special needs, sightseeing, taxi and limousine services | 4133 - 4134 & 4136 - 4137 | Single-mode local and non-local transit systems other than rail; excludes transit stops, which are allowed in all districts. Includes sightseeing, taxi and limousine services |    |     |     |     |     |     |     | P   | P   |      | P    |     | P   | P   |
| school and employee bus transportation                                             | 4135                      | Maintain and dispatch buses and other motor vehicles to transport pupils or employees                                                                                          |    |     |     |     |     |     |     |     |     |      | P    |     | P   | P   |
| towing and other road and ground services                                          | 4138                      | Tow vehicles                                                                                                                                                                   |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| Truck and freight transportation services                                          | 4140                      | Provide over-the-road transportation of cargo using motor vehicles and temporary storage                                                                                       |    |     |     |     |     |     |     |     | C   |      | C    |     | P   | P   |
| Marine and water transportation                                                    | 4150                      | Provide transportation of passengers and cargo using watercraft                                                                                                                |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| marine and sightseeing transportation                                              | 4151                      | Provide water transportation, including scenic and sightseeing, for passengers                                                                                                 |    |     |     |     |     |     |     | P   |     |      |      |     |     |     |
| Pipeline transportation                                                            | 4170                      | Use transmission lines to transport products, such as crude oil or natural gas                                                                                                 |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Postal services                                                                    | 4180                      | Operate the national postal service, including establishments that sort, route, and deliver on                                                                                 |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                   | LBCS #                       | Description                                                                                                                                                                                           | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|--------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                            |                              | a contract basis                                                                                                                                                                                      |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>national post office</b>                | <b>4181</b>                  |                                                                                                                                                                                                       |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| <b>retail courier and package delivery</b> | <b>4182</b>                  | Retail courier, package drop-off and mail services                                                                                                                                                    |    |     |     |     |     | P   | P   | P   | P   |      | P    |     | P   | P   |
| <b>Courier and messenger services</b>      | <b>4190</b>                  | Provide air, surface, or combined courier delivery services of Parcels and messages (excludes retail package drop-off and local courier services)                                                     |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |
| <b>Publishing</b>                          | <b>4210 &amp; 4221</b>       | Issue copies of works for which they usually possess copyright, including printing plants, motion picture and audio publishing. Includes newspaper publishing, greeting card printing and lithography |    |     |     |     |     |     |     |     | P   |      | P    | P   | P   | P   |
| <b>Motion pictures and sound recording</b> | <b>4220</b>                  | Produce and distribute motion pictures and sound recordings (includes indoor movie but excludes drive-in movie theaters)                                                                              |    |     |     |     |     |     | P   | P   | P   |      | P    | P   | P   | P   |
| <b>Telecommunications and broadcasting</b> | <b>4230</b>                  | Provide point-to-point communications; if multiple services are shared between the same facilities,                                                                                                   |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>radio and television broadcasting</b>   | <b>4231, 4232 &amp; 4241</b> | Operate broadcasting studios and facilities for over the air, cable or satellite delivery of radio and television programs                                                                            |    |     |     |     |     |     | P   | P   | P   |      | P    | P   | P   | P   |

| Land Use                                                           | LBCS # | Description                                                                                                                                                                       | RC  | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|--------------------------------------------------------------------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| wireless telecommunications transmission                           | 4233   | Operate, maintain or provide access to facilities for the transmission of voice, data, text, sound or video, see <a href="#">section 35.2-73</a> for telecommunications ordinance | C/P | C/P | C/P | C/P | C/P | C/P | C/P | C/P | C/P | C/P  | C/P  | C/P | C/P | C/P |
| telephone and other wired telecommunications                       | 4234   | Operate telephone networks - excludes switching stations                                                                                                                          | P   | P   | P   | P   | P   | P   | P   | P   | P   |      | P    | P   | P   | P   |
| Telecommunications switching stations/exchanges                    | 4239   | Telecommunications switching stations and exchanges with no on-site employees                                                                                                     | C   | C   | C   | C   | C   | C   | C   | C   | C   | C    | P    | C   | P   | P   |
| Information services and data processing and management industries | 4240   | News syndicates and information data processing and management services                                                                                                           |     |     |     |     |     |     |     |     |     |      |      |     |     |     |
| library or archive                                                 | 4242   | Provide library or archive services                                                                                                                                               |     | C   | C   | P   | P   | P   | P   | P   | P   |      | P    | P   | P   | P   |
| news syndicate                                                     | 4243   | Supply information such as news reports, articles, pictures and features to the news media                                                                                        |     |     |     |     |     |     |     | P   | P   |      | P    | P   | P   | P   |
| data processing and management, hosting and related services       | 4244   | Web hosting, computer data storage, optical scanning, computer input preparation, microfilm imaging                                                                               |     |     |     |     |     | P   | P   | P   | P   |      | P    | P   | P   | P   |
| Utilities and Utility Services                                     | 4300   | Provide utility services such as electric power, gas, water and sewage removal. Note that City-owned utilities are not subject to zoning district use standards                   |     |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                         | LBCS #                 | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|----------------------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Public Utilities Services, Major | 4315,<br>4329,<br>4339 | Includes transmission lines for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission of a regional nature and normally entail the construction of new buildings or structures such as electrical switching facilities and stations or substations, electric, gas, and other utility transmission lines of a regional nature which are not otherwise reviewed and approved by the Virginia State Corporation Commission. All overhead transmission lines are included in this definition. | C  | C   | C   | C   | C   | C   | C   | C   | C   | C    | C    | C   | P   | P   |
| Public Utilities Services, Minor | 4315,<br>4329,<br>4339 | Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures.                               | P  | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    | P   | P   | P   |
| Electric power                   | 4310                   | Provide electric power generation, transmission, control, and distribution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                                                                                     | LBCS #       | Description                                                                                                                                                                                                                                      | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|------------------------------------------------------------------------------------------------------------------------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| power generation                                                                                                             | 4315         |                                                                                                                                                                                                                                                  |    |     |     |     |     |     |     |     |     |      | C    |     | C   | C   |
| electric substations                                                                                                         | 4316         |                                                                                                                                                                                                                                                  | C  | C   | C   | C   | C   | C   | C   | C   | C   | C    | P    | P   | P   | P   |
| Water treatment plants and utility facilities                                                                                | 4331 - 4333, | Water treatment plants, pumping stations and lift stations                                                                                                                                                                                       | C  | C   | C   | C   | C   | C   | C   | C   | C   | C    | P    | P   | P   | P   |
| Solid waste, and related services                                                                                            | 4340         | Collect, treat, and dispose of waste materials                                                                                                                                                                                                   |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| hazardous waste processing, storage, treatment or disposal                                                                   | 4341 & 4342  | Operate treatment and disposal facilities for hazardous waste, combine, collect, or haul hazardous waste materials, including businesses cleaning contaminated buildings, soil or groundwater                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| solid waste collection, combustion, landfills or separation/sorting of recyclable materials from non-hazardous waste streams | 4343 - 4347  | Collect or haul hazardous waste, non-hazardous waste, or recyclable materials, operate waste transfer stations; landfill, incineration or composing of non-hazardous solid waste, recycling facilities; septic tank installation and maintenance |    |     |     |     |     |     |     |     |     |      |      |     |     | C   |
| Wastewater treatment plants                                                                                                  | 4348         |                                                                                                                                                                                                                                                  | C  |     |     |     |     |     |     |     |     |      |      |     |     | C   |
| recycling collection centers                                                                                                 | 4349         | Drop-off facilities for the collection of recycled goods                                                                                                                                                                                         |    |     |     |     |     |     |     |     | P   |      | P    | P   | P   | P   |
| ARTS, ENTERTAINMENT, AND                                                                                                     | 5000         |                                                                                                                                                                                                                                                  |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                                           | LBCS #                 | Description                                                                                                                                                                              | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|------------------------------------------------------------------------------------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| <b>RECREATION</b>                                                                  |                        |                                                                                                                                                                                          |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Performing Arts or Supporting Establishments</b>                                | <b>5100</b>            | Produce or organize and promote live presentations, excludes nightclubs                                                                                                                  |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Theater, dance or music establishment</b>                                       | <b>5110 &amp; 5160</b> | Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| <b>Motion picture viewing and exhibition services</b>                              | <b>5111</b>            | Operate movie theaters (excluding drive-ins), film festival exhibitions                                                                                                                  |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| <b>Promoter of sports, performing arts, similar events and management services</b> | <b>5140 - 5150</b>     | Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers                                                                            |    |     |     |     |     | P   | P   | P   | P   |      | P    | P   | P   |     |
| <b>Indoor auditorium or arena</b>                                                  | <b>5170</b>            | Indoor auditoriums, arenas, conference centers, or multipurpose facilities                                                                                                               |    |     |     |     |     |     | C   | C   | C   |      | C    | C   | C   | C   |
| <b>Outdoor auditorium/arenas</b>                                                   | <b>5180</b>            | Outdoor arenas and theaters                                                                                                                                                              |    |     |     |     |     |     |     | C   | C   |      | C    | C   | C   | C   |
| <b>Museums and Other Special Purpose Recreational Institutions</b>                 | <b>5200</b>            | Public and private museums, historical sites, and similar establishments                                                                                                                 | C  | C   | C   | P   | P   | P   | P   | P   | P   |      | P    |     |     |     |
| <b>Amusement, Sports, or Recreation Establishment</b>                              | <b>5300</b>            | Operate facilities offering activities and provide services                                                                                                                              |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                         | LBCS #            | Description                                                                                                                                                                                                                   | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|--------------------------------------------------|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Amusement or theme park establishment            | 5310              | Operate a variety of attractions such as mechanical rides, water rides, games                                                                                                                                                 |    |     |     |     |     |     | C   | C   | C   |      | C    |     |     |     |
| Commercial Amusements                            | 5320, 5380, 5390  | Operate arcades and other commercial amusements as defined herein                                                                                                                                                             |    |     |     |     |     |     | P   | C   | P   |      | P    |     |     |     |
| Country Club                                     | 5340 & 6830       | Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings                       |    | C   | C   | C   | C   | P   | P   | P   | P   |      | P    |     |     |     |
| Fitness, recreational sports, gym, athletic club | 5370              | Operate fitness and recreational sports facilities or provide services for fitness or recreational sports teams, clubs, or individual activities                                                                              |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| fitness and recreational sports center           | 5371              | Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building                          |    |     |     | C   | C   | P   | P   | P   | P   |      | P    | C   | C   |     |
| outdoor recreation                               | 5372, 5373 & 5374 | Includes golf courses, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding. Excludes automobile, dog and horse racing facilities. May include lighted outdoor |    | C   | C   | C   | C   | C   | C   | C   | P   |      | P    |     |     |     |

| Land Use                                                              | LBCS # | Description                                                                                                                                                                                         | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------------------------------------------------------------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                                                       |        | facilities.                                                                                                                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| shooting ranges, indoor                                               | 5375   |                                                                                                                                                                                                     |    |     |     |     |     |     | C   | C   | C   |      | C    | C   | C   |     |
| shooting ranges, outdoor                                              | 5376   |                                                                                                                                                                                                     | C  |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Camps, Camping, and Related Establishments                            | 5400   | Operate sites to accommodate campers and their equipment, provide overnight recreational camps, may provide cabins, food services, washrooms, spaces for overnight parking or recreational vehicles |    |     |     |     |     |     |     |     | C   |      | C    |     |     |     |
| Natural and other Recreational Parks                                  | 5500   | All parks without special economic functions, other than limited concessions                                                                                                                        | P  | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    | P   | P   | P   |
| EDUCATION, PUBLIC ADMINISTRATION, HEALTH CARE, AND OTHER INSTITUTIONS | 6000   | Note that City-owned facilities are not subject to zoning district use standards                                                                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Educational Services                                                  | 6100   | Offer teaching and learning                                                                                                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Nursery or preschool                                                  | 6110   | See district standards                                                                                                                                                                              |    | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    |     |     |     |
| Grade school                                                          | 6120   | Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere. See district standards                  |    | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    |     |     |     |

| Land Use                                    | LBCS #                | Description                                                                                                                           | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|---------------------------------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| College or university                       | 6130                  | See district standards                                                                                                                |    | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    |     |     |     |
| Technical, trade, or other specialty school | 6140 & 6568           | Offer vocational and technical training as well as vocational rehabilitation services                                                 |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| general technical schools                   | 6141-6143, 6145, 6147 | Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities |    |     |     | C   | C   |     | P   | C   | P   | P    | P    |     |     |     |
| driving education                           | 6144                  |                                                                                                                                       |    |     |     |     |     |     | P   |     | P   |      | P    |     |     |     |
| flight training                             | 6146                  | Offer aviation and flight training                                                                                                    |    |     |     |     |     |     |     |     |     |      | P    |     |     |     |
| Other Government Functions                  | 6300                  | Other government owned establishments not classified elsewhere such as defense and national guard establishments                      |    |     |     |     |     |     |     | C   | P   |      | P    |     | C   | C   |
| Public Safety                               | 6400                  | Government-owned establishments providing fire and rescue, police, and emergency response services                                    | P  | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    | P   | P   |     |
| Health and Human Services                   | 6500                  | Provide health care, social assistance, and associated services                                                                       |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Ambulatory or outpatient care services      | 6510                  | Offer health care services directly to patients without providing inpatient services                                                  |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                       | LBCS #       | Description                                                                                                                                                                                                                                                                                        | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3      | B-4 | B-5      | IN-1 | IN-2     | I-1 | I-2 | I-3 |
|----------------------------------------------------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|----------|-----|----------|------|----------|-----|-----|-----|
| clinic                                                         | 6511 & 6567  | Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans affairs services                                                                                                                                                                       |    |     |     |     |     | P   | P        | P   | P        | P    | P        |     |     |     |
| outpatient care clinic                                         | 6512         | Provide outpatient family planning services and outpatient care                                                                                                                                                                                                                                    |    |     |     |     |     | P   | P        | P   | P        | P    | P        |     |     |     |
| <u>abortion clinic</u>                                         | <u>6512a</u> | <u>Abortion clinics as defined in Section 35.2-113</u>                                                                                                                                                                                                                                             |    |     |     |     |     |     | <u>C</u> |     | <u>C</u> |      | <u>C</u> |     |     |     |
| medical or diagnostic laboratory; blood/organ bank             | 6513 - 6514  | Provide analytic or diagnostic services including medical imaging                                                                                                                                                                                                                                  |    |     |     |     |     |     | P        | P   | P        | P    | P        |     |     |     |
| Nursing, supervision and other rehabilitative services, except | 6520         | Provide inpatient nursing and rehabilitative services and can accommodate patients for extended care, includes alcoholism or drug addiction rehabilitation, mental health Halfway Houses, group homes, and psychiatric convalescent homes see 1200 for nursing homes and long-term congregate care |    |     |     |     |     |     |          |     |          |      |          |     |     |     |
| halfway house                                                  | 6521         | Residential services for pre- or post-release of convicted individuals                                                                                                                                                                                                                             |    |     |     |     |     |     |          |     |          |      |          |     |     |     |
| group home small                                               | 6522         | Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities                                                                                                                                                          | P  | P   | P   | P   | P   | P   | P        | P   | P        | P    | P        |     |     |     |
| group home large                                               | 6523         | Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual                                                                                                                                                                                                 | C  | C   | C   | C   | C   | P   | P        | P   | P        | C    | P        |     |     |     |

| Land Use                                            | LBCS #      | Description                                                                                                                                                                 | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|                                                     |             | or developmental disabilities                                                                                                                                               |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| rehabilitation centers                              | 6524        | See sanitarium for definition                                                                                                                                               |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Hospital                                            | 6530        |                                                                                                                                                                             |    | C   | C   | C   | C   | C   | C   | C   | P   |      | P    |     |     |     |
| Social assistance, welfare, and charitable services | 6560        | Provide social assistance directly to individuals, do not offer residential or accommodation services                                                                       |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| child and youth services                            | 6561        | Offer services such as adoption, foster care, drug prevention services                                                                                                      |    |     |     |     |     |     |     |     |     | P    | P    |     |     |     |
| child and adult day care                            | 6562        | Provide day care for children and adults                                                                                                                                    |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| home                                                | 6562a       | Day care for fewer than six (6) individuals in a residence                                                                                                                  | P  | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    |     |     |     |
| small                                               | 6562b       | Day care for six (6) to twelve (12) individuals in a residence                                                                                                              |    | C   | C   | C   | C   | P   | P   | P   | P   | P    | P    |     |     | 0   |
| large                                               | 6562c       | Provide care for more than 12 individuals                                                                                                                                   |    | C   | C   | C   | C   | P   | P   | P   | P   | P    | P    |     |     |     |
| care services community food services               | 6563 - 6566 | Includes community food services, emergency and relief services, services for the elderly and disabled other family services; does not include on-site provision of housing |    |     |     |     |     |     |     |     |     | P    | P    |     |     |     |

| Land Use                        | LBCS # | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|---------------------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Religious Institutions          | 6600   | Churches, temples, synagogues, mosques, convents and monasteries                                                                                                                                                                                                                                                                                                                                                                                                                               |    | C   | C   | C   | C   | P   | P   | P   | P   | P    | P    |     |     |     |
| Death Care Services             | 6700   | Funeral homes, crematories, cemeteries, undertakers                                                                                                                                                                                                                                                                                                                                                                                                                                            |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| Funeral home and services       | 6710   | Includes funeral homes combined with crematories                                                                                                                                                                                                                                                                                                                                                                                                                                               |    |     |     |     |     | P   | P   | P   | P   |      | P    |     |     |     |
| Cemetery or cremation services  | 6720   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| free-standing cemetery          | 6722   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |    | C   | C   | C   | C   | C   | P   |     | P   |      | P    |     |     |     |
| columbarium                     | 6724   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |    | C   | C   | C   | C   | C   | C   | P   | P   |      | P    |     |     |     |
| CONSTRUCTION-RELATED BUSINESSES | 7000   | Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may limit or preclude manufacturing, outdoor operations, outdoor storage of commercial vehicles and materials. |    |     |     |     |     |     | P   | P   | P   |      | P    |     | P   | P   |
| AGRICULTURE, FORESTRY,          | 9000   | Grow crops, raise animals, harvest timber,                                                                                                                                                                                                                                                                                                                                                                                                                                                     |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                                             | LBCS #      | Description                                                                                          | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|----------------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| <b>FISHING, AND HUNTING</b>                                          |             | and harvest fish and other animals, may be described as farms, greenhouses, nurseries, or hatcheries |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Crop Production</b>                                               | <b>9100</b> |                                                                                                      |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Vegetable farming or growing</b>                                  | <b>9120</b> | Includes private fields and community gardens                                                        | P  | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    |     |     |     |
| <b>Commercial orchards</b>                                           | <b>9130</b> | Includes fruit and nut trees for commercial production                                               | P  | P   | P   | P   | P   | P   | P   |     | P   | P    | P    |     |     |     |
| <b>Greenhouse Production</b>                                         | <b>9140</b> |                                                                                                      |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| <b>Greenhouse - no on-premises sales</b>                             | <b>9141</b> | Commercial greenhouse production                                                                     | P  | P   | P   | P   | P   |     | P   | P   | P   |      | P    |     | P   | P   |
| <b>Greenhouse - sales of products grown on premises</b>              | <b>9142</b> |                                                                                                      | P  |     |     |     |     |     | P   | P   | P   |      | P    |     | P   | P   |
| <b>Greenhouse - sales of products and related accessory products</b> | <b>9143</b> |                                                                                                      |    |     |     |     |     |     | P   | P   | P   |      | P    |     | P   | P   |
| <b>Animal Production</b>                                             | <b>9300</b> | Keep, graze, breed or feed animals (see district standards)                                          | P  | P   | P   | P   | P   | P   | P   | P   | P   | P    | P    | P   | P   | P   |
| <b>Unclassifiable or No Function</b>                                 | <b>9900</b> | Temporary placeholder until a code can be assigned                                                   |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

| Land Use                                   | LBCS # | Description                                                                                                                                             | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|--------------------------------------------|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Temporary uses                             | 9920   |                                                                                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| tent revival meetings/transient amusements | 9921   | Includes temporary carnivals and circuses (see <a href="#">section 35.2-72.23</a> )                                                                     |    | P   | P   | P   | P   | P   | P   | P   | P   |      | P    | P   | P   | P   |
| temporary outdoor promotional attractions  | 9922   | Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see <a href="#">section 35.2-72.23</a> ) |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| Land Use Development Patterns              | 9950   |                                                                                                                                                         |    |     |     |     |     |     |     |     |     |      |      |     |     |     |
| residential cluster development            | 9951   | See <a href="#">section 35.2-80</a>                                                                                                                     |    | P   | P   | P   | P   |     |     |     |     |      |      |     |     |     |
| traditional neighborhood development       | 9952   | See <a href="#">section 35.2-82</a>                                                                                                                     |    | C   | C   | C   | C   | C   | C   | C   | C   |      | C    |     |     |     |
| planned unit development                   | 9953   | See <a href="#">section 35.2-83</a>                                                                                                                     |    | C   | C   | C   | C   |     |     |     |     |      |      |     |     |     |
| large scale retail establishments          | 9954   | See <a href="#">section 35.2-84</a>                                                                                                                     |    |     |     |     |     |     | P   | P   | P   |      | P    |     |     |     |
| cluster commercial development             | 9955   | See <a href="#">section 35.2-85</a>                                                                                                                     |    |     |     |     |     | C   | C   | C   | C   |      | C    |     |     |     |
| flex space development                     | 9956   | See <a href="#">section 35.2-86</a>                                                                                                                     |    |     |     |     |     |     |     |     | C   |      | C    | P   | P   |     |
| corporate campus                           | 9957   | See <a href="#">section 35.2-87</a>                                                                                                                     |    |     |     |     |     |     |     |     | C   |      | C    | P   | P   |     |
| Billboards                                 | 9990   | Billboards and other signs advertising goods                                                                                                            |    |     |     |     |     |     |     |     | P   |      | P    |     | P   | P   |

| Land Use | LBCS # | Description                                                      | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|----------|--------|------------------------------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
|          |        | and services not available on the site where the sign is located |    |     |     |     |     |     |     |     |     |      |      |     |     |     |

(Remainder of Page Intentionally Left Blank)

7. That, in accordance with § 38 – A (1) of the Charter for the City of Lynchburg, Virginia, this Ordinance shall be published by “pamphlet” by the Clerk of Council and become effective on \_\_\_\_\_, which is no less than thirty (30) days from the adoption date of this Ordinance.

Adopted:

Certified: \_\_\_\_\_  
Clerk of Council



# THE CITY OF LYNCHBURG COMMUNITY DEVELOPMENT

900 Church Street  
Lynchburg, VA 24504

## SUMMARY OF PROPOSED ZONING AMENDMENTS

- Section 35.2-113 – Definitions:
  - Define Abortion Clinic – p. 1
  - Amend definition of Hospital – pp. 15-16
  - Amend definition of Medical or Dental Clinics – p. 19
- Section 35.2-46.2 – Authorized Uses – Exhibit IV-15 Authorized Uses in B-3 District
  - Add Abortion Clinic (LBCS# 6512a) as a use permitted by Conditional Use Permit subject to standards in Section 35.2-72.28 – p 43
- Section 35.2-48.2 – Authorized Uses – Exhibit IV-19 Authorized Uses in B-5 District
  - Add Abortion Clinic (LBCS# 6512a) as a use permitted by Conditional Use Permit subject to standards in Section 35.2-72.28 – p 58
- Section 35.2-50.2 – Authorized Uses – Exhibit IV-23 Authorized Uses in IN-2 District
  - Add Abortion Clinic (LBCS# 6512a) as a use permitted by Conditional Use Permit subject to standards in Section 35.2-72.28 – p 76
- New Section 35.2-72.28 – Abortion Clinics
  - Sets standards for abortion clinics whether principle use or an accessory use – p. 80
  - Sets Zoning Districts where abortion clinics are allowed by conditional use permit – B-3, Community Business District, B-5, General Business District, IN-2, Institutional District 2 – p. 80
  - Sets location criteria – abortion clinics shall not be located within 1000 feet of:
    - R-C, Conservation District
    - R-1, Low Density Residential District
    - R-2, Low – Medium District Residential District
    - R-3, Medium Density Residential District
    - R-4, High Density Residential District
    - FSC, Fifth Street Revitalization Corridor Overlay District
    - Historic Districts
    - James River Arts and Cultural District
    - Church or other place of worship
    - Public library
    - Public or private pre-kindergarten, elementary, middle or high school
    - Public park
    - Children’s Museum



# THE CITY OF LYNCHBURG COMMUNITY DEVELOPMENT

900 Church Street  
Lynchburg, VA 24504

- Child Day Care Center
  - Motel or Hotel – p.80
  - Standards apply to new, relocation, enlargement, conversion of any establishment as an abortion clinic – p.80
- APPENDIX A – TABLE OF AUTHORIZED LAND USES
  - Amend table to list abortion clinic (LBCS# 6512a) as permitted by conditional use permit in the B-3, Community Business District, B-5, General Business District and the IN-2, Institutional 2 District – p. 108

**ZONING ORDINANCE AMENDMENT PROPOSAL TO DEFINE ABORTION CLINICS, ESTABLISH SPECIFIC LAND USE STANDARDS, AND AMEND BASE ZONING DISTRICTS.**

Profound moral and political debate are associated with the practice of abortion, and the use of land, buildings, structures and other premises for abortion clinics must be carefully considered to avoid conflict between nearby uses of property and to promote creation of harmonious community. Currently, abortion clinics are allowed by-right in sensitive areas such as across the street from E.C. Glass High School and Heritage High School, and next to the Jubilee Family Development Center.

Va. Code § 15.2-2280 enables zoning to regulate land uses, § 15.2-2283 promotes harmonious communities, and Section 38 of the Charter for the City of Lynchburg authorizes ordinances that City Council deems necessary; therefore, City Council may direct city staff to prepare Zoning Ordinance Amendments to amend Base Zoning Districts IN-1 and IN-2, define Abortion Clinics, and establish Specific Use Standards as follows:

1. Amend Section 35.2-49 (IN-1) and Exhibit IV-21 by adding after LBCS #6512 (Outpatient care clinics):

|                 |       |                                              |   |
|-----------------|-------|----------------------------------------------|---|
| Abortion clinic | 6512a | Abortion clinics as defined in Sec. 35.2-113 | C |
|-----------------|-------|----------------------------------------------|---|

2. Amend Section 35.2-49 (IN-2) and Exhibit IV-23 by adding after LBCS #6512 (Outpatient care clinics):

|                 |       |                                              |   |
|-----------------|-------|----------------------------------------------|---|
| Abortion clinic | 6512a | Abortion clinics as defined in Sec. 35.2-113 | C |
|-----------------|-------|----------------------------------------------|---|

3. Amend Section 35.2-72 – Specific Use Standards, with new Section 35.2-72.XX – Abortion Clinics as follows:

**Sec. 35.2-72.XX. – Abortion Clinics.**

Abortion Clinics (see LBCS code 6512a), whether principal use or accessory to another use, shall meet the following standards:

- (a) No abortion clinic may be established within 1,000 feet of the following zoned districts:

- (1) Conservation District (R-C);
- (2) Low Density Residential Districts (R-1);
- (3) Low-Medium Density Residential Districts (R-2);
- (4) Medium Density Residential Districts (R-3);
- (5) High Density Residential Districts (R-4);

(6) Fifth Street Revitalization Corridor Overlay District (FSC);

(7) Historic Districts (HD);

(8) James River Arts and Cultural District.

(b) No abortion clinic may be established within 1,000 feet of any church or other place of worship, public library, public or private pre-kindergarten, elementary, middle or high school, public park, children's museum, or child day care center.

(c) The establishment of any abortion clinic as referred to herein shall include the opening of such business as a new business, the relocation of such business, the enlargement of such business in either scope or area, or the conversion, in whole or in part, of an existing business to abortion clinic.

4. Amend Section 35.2-113 – Definitions, by adding/revising definitions as provided:

**Abortion clinic:** means a facility, other than a hospital, where any person administers to, or causes to be taken by a woman, any drug, medicine, or any other substance other than contraceptive methods that are approved by the U.S. Food and Drug Administration, or use any instrument, device, or means, with intent to knowingly destroy the life of an embryo or fetus in his or her mother's womb.

**Hospitals:** An institution receiving in-patients and rendering medical, surgical, and/or obstetrical care to private and charity patients, and usually including research and training activities, but in all cases excluding abortion clinics. This shall include general hospitals and institutions in which service is limited to special fields, such as cardiac, eye, ear, nose and throat, pediatric, orthopedic, skin and cancer, tuberculosis, chronic disease and obstetrics. Hospital patients generally require intensive care for periods generally not exceeding several months.

**Medical or dental clinics:** Any building or group of buildings occupied by two or more medical or dental practitioners, but in all cases excluding abortion clinics, for the purpose of providing health services to people on an out-patient basis.

5. Amend Appendix A by adding row after 6512:

| Land Use        | LBCS # | Description                                  | RC | R-1 | R-2 | R-3 | R-4 | B-1 | B-3 | B-4 | B-5 | IN-1 | IN-2 | I-1 | I-2 | I-3 |
|-----------------|--------|----------------------------------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|------|------|-----|-----|-----|
| Abortion clinic | 6512a  | Abortion clinics as defined in Sec. 35.2-113 |    |     |     |     |     |     |     |     |     | C    | C    |     |     |     |

6. Identify any additional amendments that would be needed to prevent inconsistencies and gaps to ensure "abortion clinic" doesn't overlap with any other use, such as "ambulatory surgical centers," etc. This should be incorporated within the final ordinance draft before it is sent to the Planning Commission for review.

# Zoning Ordinance Amendment Abortion Clinics December 10, 2025

**PLEASE PRINT CLEARLY**

[illegible]

**RESOLUTION:**

**#R-25-\_\_**

WHEREAS, in 2020, a constitutional amendment creating Section 6-A of Article II of the Constitution of Virginia became effective and it is entitled “Virginia Redistricting Commission”; and,

WHEREAS, the Virginia Redistricting Commission was established to convene in 2020, and every ten (10) years thereafter, “for the purpose of establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly pursuant to Article II, Section 6 of [the Constitution of Virginia.]”; and,

WHEREAS, when proposed, the said amendment to the Constitution of Virginia received broad majority support across the Commonwealth of Virginia, with 2,770,489 Virginians voting in favor of the measure, including 12,042 Lynchburg voters; and,

WHEREAS, Democrat leaders in the Virginia House of Delegates and Senate of Virginia have called for a Special Session of the General Assembly to attempt to remove or amend Section 6-A of Article II of the Constitution of Virginia or otherwise change the Commonwealth of Virginia’s redistricting process(es); and,

WHEREAS, a growing movement among state legislatures are attempting (or have already taken) similar actions, as well as implementing legislative districts that are neither compact nor contiguous.

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Lynchburg City Council (i) emphatically supports Section 6-A of Article II of the Constitution of Virginia, (ii) expresses strong opposition to any attempt to remove or amend Section 6-A of Article II of the Constitution of Virginia or otherwise change the Commonwealth of Virginia’s redistricting process(es), (iii) supports legislative districts at all levels of government that are compact, contiguous, and comply with applicable law, and (iv) declares its intent to oppose unconstitutional or illegal redistricting (and its related process(es)), and, where necessary, may use such legal means as may be appropriate, including, without limitation, court action to challenge the same.
2. That the Clerk of Council shall forward a certified copy of this Resolution to the City of Lynchburg’s legislative delegation to the General Assembly.
3. That this Resolution shall be effective upon its adoption.

Adopted:

Certified: \_\_\_\_\_  
Clerk of Council

**AGENDA ITEM SUMMARY****MEETING DATE**

January 13, 2026

**PRESENTED BY**

Donna Witt, Chief Financial Officer

**AGENDA ITEM # IV.6**

Budget Update and Look Ahead

**RECOMMENDATION**

Hear a presentation regarding current financial status of FY 2026, and FY 2027 budget outlook

**SUMMARY**

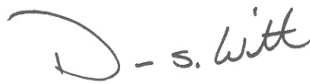
This financial presentation provides a summary of the status of the current revenue position for FY 2026, and the FY 2027 budget instructions, including budget changes from the current year.

**PRIOR ACTION(S)****FISCAL IMPACT****CONTACT(S)**

Donna Witt, Chief Financial Officer

**ATTACHMENT(S)**

1. Budget Outlook WS 01132026 final

**REVIEWED BY**

Donna Witt, Chief Financial Officer

Date: January 08, 2026



Gregory Patrick, Deputy City Manager

Date: January 08, 2026

Alicia L. Finney

Date: January 08, 2026

---

Alicia Finney, Clerk of Council

# BUDGET OUTLOOK

Work Session  
January 13, 2026



# OVERVIEW

- FY 2026 Budget Update
- FY 2027 Budget Outlook

# FY 2026 REVENUE UPDATE

- Real and Personal Property Tax revenues through December are tracking close to the adopted budget
- Consumption Taxes (Sales, Meals, Lodging, and Amusement)
  - Revenues through September are tracking slightly above budget except for Lodging Tax
  - October revenues were excellent due to multiple special events, including the Disc Golf Pro Tour Championship
  - December revenues will not be available until February
  - Staff continues to closely watch Consumption Tax revenue trends

# FY 2026 EXPENDITURE UPDATE

- General Fund expenditures are tracking close to budget
- The current Line of Credit expires in June 2026; will need to do permanent financing (bond issue) in Spring 2026
- Watching interest rates for best timing of bond issuance

# FY 2027 DEPARTMENT BUDGET INSTRUCTIONS

- Zero-base budget submissions not to exceed the FY 2026 budget allocation
- Contractual or inflationary increases must be absorbed within the allocation
- Any new programs or services must be absorbed within the allocation

# FY 2027 REVENUE OUTLOOK

- Real Estate Tax revenues projected to increase slightly for new construction
- Personal Property Tax revenues projected to increase due to new vehicle costs continuing to rise
- Consumption Tax revenues projected to remain relatively flat with FY 2026
- Revenues associated with the opening of the new amphitheater are conservatively projected
  - Planned opening in Spring 2026
  - FY 2027 will include a full year of operations
- Revenues related to General Assembly actions are unknown

# FY 2027 EXPENDITURE OUTLOOK

| FY 2027 EXPENDITURE BUDGET DRIVERS (estimated)                       | Amount      |
|----------------------------------------------------------------------|-------------|
| Debt Service, including fire apparatus                               | \$2,300,000 |
| Fire - new station lease (amount above FY 2026 budget)               | \$400,000   |
| Public Works - increased per ton tipping costs                       | \$84,000    |
| Commonwealth's Attorney - evidence sharing software                  | \$61,200    |
| City Assessor - printing/mailing reassessment notices (in odd years) | \$31,000    |
| Registrar - operational increases                                    | \$31,000    |
| Virginia Retirement System contribution increase                     | TBD         |

# OTHER BUDGET CONSIDERATIONS

## EMPLOYEE COST OF LIVING ADJUSTMENTS

|                                                           | Amount      |
|-----------------------------------------------------------|-------------|
| Public Safety Pay Plan (step progression)                 | \$900,000   |
| Two percent cost of living increase for general employees | \$1,200,000 |

# OTHER BUDGET CONSIDERATIONS

## LYNCHBURG CITY SCHOOLS FUNDING

|                                                      | Amount |
|------------------------------------------------------|--------|
| Lynchburg City Schools - Local portion for operating | TBD    |

**Notes:**

- School Board is scheduled to discuss the FY 2027 budget on January 20, 2026.
- The State Department of Education "Calc tool," released December 2025, reflects \$4.2M in additional funding from the State for FY 2027.
- In December 2025 the Governor's Proposed Budget includes a one-time, 2% bonus to be provided in 2026 and a 2% increase in FY 2027 for State employees and teachers.

# TAKEAWAYS

- Will need revenue growth to maintain current service levels, more for additional investment in other City Council priorities
  - Any anticipated growth in tax revenue is needed to cover the cost of known expenditure increases
  - Without additional consumption and/or property tax revenues, funding for pay progression, cost of living increases is not available