



CITY COUNCIL

Thursday, February 12, 2026 | 6:00 PM
Council Chamber- City Hall
900 Church Street
Lynchburg, VA 24504

AGENDA

I. Public Hearing

- I.1. Consideration of adopting Resolution #R-26-013 approving the Community Development Block Grant and HOME Program Goals for the Fiscal Year 2027 Annual Action Plan.
- I.2. Consideration of adopting Ordinance #O-26-015 amending and reenacting the Lynchburg City Code under its Zoning Ordinance to regulate abortion clinics in the City.
- I.3. Consideration of adopting Ordinance #O-26-014 changing the polling place for the First Precinct of the Fourth Ward in the City from the St. Thomas More Catholic Church to the All Peoples Church.



AGENDA ITEM SUMMARY

MEETING DATE

February 12, 2026

PRESENTED BY

Melva Walker, Grants Manager

AGENDA ITEM # I.1

Consideration of adopting Resolution #R-26-013 approving the Community Development Block Grant and HOME Program Goals for the Fiscal Year 2027 Annual Action Plan.

RECOMMENDATION

Conduct a public hearing to receive comments regarding the goals for the development of the Fiscal Year 2027 (Program Year 2026) Annual Action Plan and adopt a resolution approving the goals.

SUMMARY

The U. S. Department of Housing and Urban Development (HUD) requires state and local governments, which receive federal community development funds, to prepare a Consolidated Plan. 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 these goals on an annual basis. City Council is seeking the input of citizens and other interested parties regarding the approved goals. A 15-day public comment period to receive citizen input regarding these goals was initiated on January 9, 2026 through a legal notice published in *The News and Advance* and readvertized on January 29, 2026.

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 Five-Year Consolidated Plan Approved by City Council

January 13, 2026: City Council Business Item Briefing (BIB)

FISCAL IMPACT

To be determined through CDBG and HOME funding allocations

CONTACT(S)

Melva Walker, Grants Manager

ATTACHMENT(S)

1. #R-26-013
2. RESOLUTION
3. Proposed Goals - CDBG HOME FY 2027 (1)
4. Presentation 02.12.2026

REVIEWED BY



William Martin, Community Development Director

Date: January 14, 2026



Kent White, Assistant City Manager

Date: January 15, 2026



Alicia Finney-Andrews, Clerk of Council

Date: January 22, 2026

RESOLUTION:

#R-26-013

BE IT RESOLVED that City Council approves the Community Development Block Grant (CDBG) and HOME Program Housing and Non-Housing Goals for the development of the Program Years 2025-2029 (Fiscal Years 2026-2030) Five-Year Consolidated Plan and the Fiscal Year 2027 Annual Action Plan as outlined in Attachment B which is expressly incorporated herein by reference.

Adopted: February 12, 2026

Certified: Alicia L. Frings
Clerk of Council

RESOLUTION

BE IT RESOLVED that City Council approves the Community Development Block Grant (CDBG) and HOME Program Housing and Non-Housing Goals for the development of the Program Years 2025-2029 (Fiscal Years 2026-2030) Five-Year Consolidated Plan and the Fiscal Year 2027 Annual Action Plan as outlined in Attachment B which is expressly incorporated herein by reference .

Adopted:

Certified:

Clerk of Council



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.

Prepared by the Community Development Advisory Committee: January 28, 2025

Adopted by City Council: February 25, 2025

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
AND HOME PROGRAM –
PUBLIC HEARING AND ADOPTION OF A RESOLUTION
REGARDING HOUSING AND NON-HOUSING GOALS FOR THE
FISCAL YEAR 2027 (PROGRAM YEAR 2026) ANNUAL ACTION
PLAN**

February 12, 2026



PURPOSE & ACTION

Purpose:

Adopt a resolution approving 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.

Why:

The Department of Housing and Urban Development (HUD) requires Community Development Block Grant (CDBG) and HOME Program entitlement communities to review the goals in the plan on an annual basis.

PUBLIC COMMENT

Tonight's public hearing will provide citizens and other interested parties an opportunity to comment on the goals.

A 15-day public comment period to receive citizen input regarding the goals was initiated on January 9, 2026 through a legal notice published in The News and Advance.



2025-2029 CONSOLIDATED PLAN AND PROGRAM YEAR (PY) 2026 ANNUAL ACTION PLAN (FY 2027) PROPOSED GOALS

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.



2025-2029 CONSOLIDATED PLAN AND PROGRAM YEAR (PY) 2026 ANNUAL ACTION PLAN (FY 2027) PROPOSED GOALS

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.



2025-2029 CONSOLIDATED PLAN AND PROGRAM YEAR (PY) 2026 ANNUAL ACTION PLAN (FY 2027) PROPOSED GOALS

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.



AGENDA ITEM SUMMARY**MEETING DATE**

February 12, 2026

PRESENTED BYWilliam Martin, Community Development
Director**AGENDA ITEM # I.2**

Consideration of adopting Ordinance #O-26-015 amending and reenacting the Lynchburg City Code under its Zoning Ordinance to regulate abortion clinics in the City.

RECOMMENDATION

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).

January 13, 2026: City Council Business Item Briefing (BIB).

FISCAL IMPACT

N/A

CONTACT(S)

William Martin, Community Development Director

ATTACHMENT(S)

1. #O-26-015
2. Presentation
3. Proposed Ordinance
4. Summary of Zoning Amendments
5. Council Initiated Amendments - October 14, 2025
6. Planning Commission Minutes, Report, and Attachments

REVIEWED BY



William Martin, Community Development Director

Date: January 14, 2026



Kent White, Assistant City Manager

Date: January 21, 2026



Alicia Finney-Andrews, Clerk of Council

Date: January 22, 2026

ORDINANCE:**#O-26-015**

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.

WHEREAS, prior to the adoption of this Ordinance, a public hearing was held before the Lynchburg City Council after being duly advertised on January 29, 2026, and on February 5, 2026, 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>	<u>Abortion clinic:</u> 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.
1.	<u>2.</u>	Abut: To adjoin or touch at one or more points along a common boundary.
2.	<u>3.</u>	Accessible: 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.
3.	<u>4.</u>	Accessory use or accessory: 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 zoning lot. A use that is clearly incidental to, and customarily found in connection with, such principal use. A use subordinate in area, floor area, intensity, extent and purpose to the principal use. 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. When "accessory" is used in the text, it shall have the same meaning as "accessory use"
4.	<u>5.</u>	Accessory structure: 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.
5.	<u>6.</u>	Address sign: 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.
6.	<u>7.</u>	Adjacent: To abut or be located on the opposite side of a right-of-way or easement.
7.	<u>8.</u>	Administrator or Zoning Administrator: the official charged with the enforcement of this zoning ordinance except where responsibility is specifically delegated.
8.	<u>9.</u>	Agriculture: 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.
9.	<u>10.</u>	Airport elevation: The highest point on any usable landing surface expressed in feet above mean sea level.
10.	<u>11.</u>	Airport or air landing field: 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.
11.	<u>12.</u>	Airport: Lynchburg Regional Airport and/or Falwell Airport.
12.	<u>13.</u>	Alteration: Any change, modification or addition to a part of or all of the exterior of any building or structure.
13.	<u>14.</u>	Amend or amendment: 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.
14.	<u>15.</u>	Antenna support structure: Any building or other structure 30 feet in height or taller other than a tower which can be used for location of telecommunications facilities.
15.	<u>16.</u>	Apartment house: See dwelling, multi-household.

16.	<u>17.</u>	Apartment: 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.
17.	<u>18.</u>	Applicant: Any person who applies for any development approval.
18.	<u>19.</u>	Application or development application: 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.
19.	<u>20.</u>	Approach surface: A surface, whose design standards are referenced in section 35.2-57.3 , 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 section 35.2-57.4 . In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.
20.	<u>21.</u>	Approach, transitional, horizontal, and conical zones: the airspace zones as set forth in section 35.2-57.4 .
21.	<u>22.</u>	Arcade: A public or private pedestrian walkway that is open to the street and covered by the upper floors of a building front.
22.	<u>23.</u>	Arterial or arterial street: A public street currently classified in the comprehensive plan functional classification map as an arterial.
23.	<u>24.</u>	Automobile graveyard: 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.
24.	<u>25.</u>	Automobile service station: 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: 1. Sales and servicing of spark plugs, batteries, and distributors and distributor parts. 2. Tire servicing and repair, but not recapping or regrooving. 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. 4. Radiator cleaning and flushing. 5. Washing and polishing, and sale of automotive washing and polishing materials. 6. Greasing and lubrication. 7. Providing and repairing fuel pumps, oil pumps and lines. 8. Electrical system repairs 9. Adjusting and repairing brakes. 10. Minor motor adjustments not involving racing the motor.

		11. Retail sales of convenience goods. 12. Virginia state inspection station. 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.
25.	<u>26.</u>	Awning: 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.
26.	<u>27.</u>	Banner: 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.
27.	<u>28.</u>	Base flood: The flood having a one percent chance of being equaled or exceeded in any given year.
28.	<u>29.</u>	Base flood elevation: The Federal Emergency Management Agency designated 100-year water surface elevation.
29.	<u>30.</u>	Basement: Any area of the building having its floor sub-grade (below ground level) on all sides.
30.	<u>31.</u>	Bed and breakfast or tourist home: 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.
31.	<u>32.</u>	Billboard or poster panel: 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.
32.	<u>33.</u>	Block face: The edge of a block fronting on a street.
33.	<u>34.</u>	Block: An area of land bounded by streets providing access to such area.
34.	<u>35.</u>	Board of Zoning Appeals: 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.
35.	<u>36.</u>	Boardinghouse or lodging house: 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.
36.	<u>37.</u>	Boarding unit or lodging unit: 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.
37.	<u>38.</u>	Buffer: 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>	Building, accessory: 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>	Building envelope: 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>	Building group: A group of two or more main buildings and any buildings accessory thereto occupying a single zoning lot.
41.	<u>42.</u>	Building line or setback: A line drawn parallel to a lot line at a distance therefrom equal to the depth of a required setback.
42.	<u>43.</u>	Building mounted sign: A permanently attached sign, erected or painted on the outside wall, window, or door of a building.
43.	<u>44.</u>	Building permit: A document issued by the City of Lynchburg to permit the construction, erection of alteration of any structure.
44.	<u>45.</u>	Building, height of: 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 section 35.2-61.2 .
45.	<u>46.</u>	Building, main: 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>	Building, temporary: 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>	Building: Any structure designed or intended for support, shelter, enclosure or protection of persons, animals, chattels or property.
48.	<u>49.</u>	Business district: A zoning district whose designation begins with the letter "B".
49.	<u>50.</u>	Business incubator: 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: (1) It shall contain uses authorized in the applicable zoning district under one roof with a minimum of six tenant spaces. (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. (3) Display rooms for retail sales shall not exceed ten percent of the gross floor area of the tenant space. (4) A tenant shall not be allowed to occupy the facility for more than 48 months.

50.	<u>51.</u>	Caliper: 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>	Campus : 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>	Care center: 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>	Cemetery: 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>	Certificate of appropriateness (COA): 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>	Certificate of Occupancy: Authorization granted by the City for use of a lot or structure.
56.	<u>57.</u>	Changeable copy sign: 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>	Channel enclosure: Continuous c-shaped metal, or similar opaque material, surrounding three-quarters of the circumference of neon tubing of a sign.
58.	<u>59.</u>	Channel: A natural or artificial depression of perceptible extent with a definite bed and banks to confine and conduct flowing water.
59.	<u>60.</u>	Civic uses: 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>	Collector street: A public street currently classified as a collector street in the functional classification map of the Comprehensive Plan.
61.	<u>62.</u>	Commercial amusement (temporary): 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>	Commercial amusement: 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.
63.	<u>64.</u>	Commercial building: A building used only for a commercial use.
64.	<u>65.</u>	Commercial recreation: 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.
65.	<u>66.</u>	Commercial use: Any use involving in part or in whole the storage of merchandise, sale of merchandise, materials or services, but not including home occupations.
66.	<u>67.</u>	Community facility use: 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.
67.	<u>68.</u>	Comprehensive Zoning Map amendment: 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.
68.	<u>69.</u>	Community owned: Facilities owned and operated by a public, non-profit or not-for-profit entity and open to the general public.
69.	<u>70.</u>	Concept Plan: (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. (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.
70.	<u>71.</u>	Conditional use: A permit to grant restricted use of property for uses other than those permitted by right.
71.	<u>72.</u>	Conditional zoning or zone: 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.
72.	<u>73.</u>	Conical surface: 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.

73.	<u>74.</u>	Conservation: Any action designed to keep a structure, area containing structures, or places from being damaged, lost or wasted.
74.	<u>75.</u>	Construction sign: 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>	Construction, start of: 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>	Contributing property: 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>	Coverage, lot: 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>	Decorative landscape stone: 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>	Delineated wetland: An area delineated by the U.S. Army Corps of Engineers as a wetland.
80.	<u>81.</u>	Demolition: The dismantling or tearing down of all or part of any building or structure and all operations incidental thereto.
81.	<u>82.</u>	Depth of lot: The mean horizontal distance between the front lot line and rear lot line of a lot.
82.	<u>83.</u>	Detached building: A building surrounded by yards or other open area on the same zoning lot.
83.	<u>84.</u>	Development: 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>	Development approval: Any City approval required for development.
85.	<u>86.</u>	Development area / disturbed area: All areas shown within the limits of clearing and grading on a concept plan or final site plan.
86.	<u>87.</u>	Development pattern: See land use development pattern
87.	<u>88.</u>	Digital sign or electronic message center: 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>	Directional sign: 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.
89.	<u>90.</u>	Dwelling: 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.
90.	<u>91.</u>	Dwelling unit: 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.
91.	<u>92.</u>	Dwelling, cluster or cluster development: A development pattern defined in Article VIII of this Zoning Ordinance characterized by small lots and the retention of common open space.
92.	<u>93.</u>	Dwelling, detached: A building containing only dwelling units surrounded by yards or other open area on the same zoning lot.
93.	<u>94.</u>	Dwelling, group: A building group consisting only of dwellings occupying a parcel of land in one ownership and having any yard or service area in common.
94.	<u>95.</u>	Dwelling, multi-household for the elderly: 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.
95.	<u>96.</u>	Dwelling, multi-household: 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.
96.	<u>97.</u>	Dwelling, semi-detached: 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.
97.	<u>98.</u>	Dwelling, single-household: A building containing not more than one dwelling unit and occupied by not more than one household.
98.	<u>99.</u>	Dwelling, townhouse, or row house: 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.
99.	<u>100.</u>	Dwelling, two-household (duplex): 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.
100.	<u>101.</u>	Easement: 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.
101.	<u>102.</u>	Eave: The underside of the projection of a roof beyond the outer wall of a building.
102.	<u>103.</u>	Electrical engineer: An electrical engineer licensed by the Commonwealth of Virginia.
103.	<u>104.</u>	Electronic message center (EMC): see digital sign
104.	<u>105.</u>	Elevated building: 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).
105.	<u>106.</u>	Encroachment , floodplain: 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.
106.	<u>107.</u>	Encroachment lines: 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.
107.	<u>108.</u>	Enlargement, or to enlarge: 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.
108.	<u>109.</u>	Equal degree of encroachment: 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.
109.	<u>110.</u>	Evergreen tree: A tree or shrub that has foliage that persists and stays green throughout the year.
110.	<u>111.</u>	Existing tower: A telecommunications tower that is in existence or is being constructed on December 9, 1997
111.	<u>112.</u>	Extension, or to extend: 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.
112.	<u>113.</u>	Exterior architectural features: 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.
113.	<u>114.</u>	Façade: The outer surface of a building.
114.	<u>115.</u>	Fall zone: 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.

115.	<u>116.</u>	Family day home: 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.
116.	<u>117.</u>	Final site plan: A site plan that when approved in accordance with this ordinance enables an applicant to apply for a building permit.
117.	<u>118.</u>	Fire district: 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.
118.	<u>119.</u>	Flag pole: A freestanding structure or a structure attached to a building or the roof of a building for the sole purpose of displaying flags.
119.	<u>120.</u>	Flag: Any fabric or any other flexible material attached to or designed to be flown from a flagpole or similar device.
120.	<u>121.</u>	Flashing sign: 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.
121.	<u>122.</u>	Flea market: 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.
122.	<u>123.</u>	Flood hazard area: 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.
123.	<u>124.</u>	Flood or flooding: 1. A general or temporary condition or partial or complete inundation of normally dry land areas from: a. the overflow of inland or tidal waters; or, b. the unusual and rapid accumulation or runoff of surface waters from any source. 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.
124.	<u>125.</u>	Floodplains: 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.
125.	<u>126.</u>	Flood-prone area: Any land area susceptible to being inundated by water from any

		source.
126.	<u>127.</u>	Floodproofing: 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.
127.	<u>128.</u>	Floodway fringe: That portion of the 100-year floodplain outside of the floodway.
128.	<u>129.</u>	Floodway: 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.
129.	<u>130.</u>	Floor area: 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: 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. 2. Elevator shafts or stairwells at each floor. 3. Floor space in penthouses. 4. Attic space (whether or not a floor has been laid) providing structural headroom of eight feet or more. 5. Floor space in interior balconies or mezzanines. 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. 7. Any other floor space used for dwelling purposes, no matter where located within a building, when not specifically excluded. 8. Floor space in accessory buildings except for floor space used for accessory off-street parking. Floor area of a building shall not include: 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. 2. Elevator or stair bulkheads, accessory water tanks or cooling towers. 3. Uncovered steps. 4. Attic space, whether or not a floor actually has been laid, providing structural headroom of less than eight feet. 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. 6. Unenclosed floor space used for permitted or required accessory off-street parking spaces. 7. Floor space used for accessory off-street loading berths. 8. Floor space used for mechanical equipment.
130.	<u>131.</u>	Floor area ratio: 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.)
131.	<u>132.</u>	Floor plate: The floor area of the ground floor or footprint of a building.
132.	<u>133.</u>	Food Establishment: A business operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption.
133.	<u>134.</u>	Foundation planting: Trees and shrubs planted along and adjacent to the perimeter of a building.
134.	<u>135.</u>	Freeboard: 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.
135.	<u>136.</u>	Freestanding sign: A non-movable sign supported by structures or supports in or upon the ground and not attached to a building.
136.	<u>137.</u>	Frontage: The horizontal length of the front lot line of a zoning lot abutting a public street, road, or highway, or rural right-of-way.
137.	<u>138.</u>	Gambrel roof: 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)
138.	<u>139.</u>	Garden apartment units: Group multiple dwellings consisting of more than one main building containing more than one unit per building for single-household occupancy.
139.	<u>140.</u>	Gasoline station: See Automobile service station.
140.	<u>141.</u>	Graphic: Any logo, emblem, insignia, or text, formed by writing, drawing, painting or engraving.
141.	<u>142.</u>	Ground cover: 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.
142.	<u>143.</u>	Group Home: 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. 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 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. 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.
143.	<u>144.</u>	Guest: Any person hiring and occupying a room for sleeping purposes.
144.	<u>145.</u>	Hazard to air navigation: 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.
145.	<u>146.</u>	Hazardous materials: 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.
146.	<u>147.</u>	Heat island effect: An elevated temperature over an urban area caused by pavement, buildings, other infrastructure and pollutant emissions
147.	<u>148.</u>	Height of building: See Building, height of.
148.	<u>149.</u>	Height of sign: 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.
149.	<u>150.</u>	Height: for the purpose of determining the height limits affected by airport operations in all zones set forth in section 35.2-57.4 and shown on the Zoning Map, the datum shall be mean sea level (M.S.L.) elevation unless otherwise specified.
150.	<u>151.</u>	Helipad: Landing facility for up to two helicopters that may be lit, but does not include facilities for storage, fueling or servicing of helicopters.
151.	<u>152.</u>	Helipport: Facilities for the landing helicopters that may include facilities for storage, servicing and/or fueling one or more helicopters at a time.
152.	<u>153.</u>	Historic area, historic place, or historic structure: 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.

		2. Any structure that is: 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 on the national register; 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; 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 d. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: i. by an approved state program as determined by the secretary of the interior or ii. directly by the secretary of the interior in states without approved programs.
153.	<u>154.</u>	Historic building map: The map of Lynchburg indicating certain structures as historic buildings.
154.	<u>155.</u>	Historic district: 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.
155.	<u>156.</u>	Home occupation: An accessory use which: 1. Is clearly incidental to or secondary to the residential use of a dwelling unit. 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. 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.
156.	<u>157.</u>	Home owners' or property owners' association: 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.
157.	<u>158.</u>	Horizontal surface: An imaginary horizontal plane, whose design standards are referenced in section 35.2-57.3 above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.
158.	<u>159.</u>	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.
159.	<u>160.</u>	Hotel: 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.
160.	<u>161.</u>	Household: The occupants of a single dwelling unit, which shall not exceed three unrelated individuals unless otherwise permitted by this Zoning Ordinance.
161.	<u>162.</u>	Identification sign: 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.
162.	<u>163.</u>	Illegal use: 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.
163.	<u>164.</u>	Illuminated sign: A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
164.	<u>165.</u>	Industrial district: Includes the I-1, I-2 and I-3 zoning districts.
165.	<u>166.</u>	Institutional district: Any district whose designation begins with the letters IN".
166.	<u>167.</u>	Inflatable item: 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.
167.	<u>168.</u>	Inventory, historic: The inventory of historic landmarks, buildings and structures as prepared by the board of historic and architectural review.
168.	<u>169.</u>	Junk yard: 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.
169.	<u>170.</u>	Kennel: 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.
170.	<u>171.</u>	Land Use Development Pattern or Development Pattern: 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.

171.	<u>172.</u>	Land with minor improvements: For purposes of the City's floodplain regulations, a tract of land which: 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.
172.	<u>173.</u>	Landscape island: 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.
173.	<u>174.</u>	Large deciduous tree. 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.
174.	<u>175.</u>	Large farm animal. 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.
175.	<u>176.</u>	Large scale retail establishment: 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.
176.	<u>177.</u>	Level of Service (LOS): 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.
177.	<u>178.</u>	Limited Access Highway or Freeway: 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.
178.	<u>179.</u>	Limited time: A period of time assumed to be not more than one year unless otherwise specified by the Zoning Ordinance or development approval.
179.	<u>180.</u>	Loading berth: A space measuring at least ten feet wide by 35 feet long that is used for the loading or unloading of vehicles.
180.	<u>181.</u>	Local street: A public street not classified as a freeway, arterial or collector street under the definitions in this section.
181.	<u>182.</u>	Lodging house: See Boardinghouse.
182.	<u>183.</u>	Logo: Any emblem used as the symbol of an organization, or residential or nonresidential community. A logo may include a graphic, text, or both.
183.	<u>184.</u>	Lot: 1. A lot of record existing on the effective date of the Zoning Ordinance or any applicable subsequent amendment thereto. 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. 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.
184.	<u>185.</u>	Lot area per dwelling unit: That portion of the lot area required for each dwelling unit located on a zoning lot.
185.	<u>186.</u>	Lot area: 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.
186.	<u>187.</u>	Lot, corner: 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.
187.	<u>188.</u>	Lot coverage: See Coverage, lot.
188.	<u>189.</u>	Lot depth: See Depth of lot.
189.	<u>190.</u>	Lot, interior: Any lot neither a corner lot nor a through lot.
190.	<u>191.</u>	Lot line, front: A street line determined by the Zoning Administrator to be the front of the lot based on prevailing lot patterns and lot dimensions.
191.	<u>192.</u>	Lot line, rear: 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.
192.	<u>193.</u>	Lot line, side: Any lot line that is not a front lot line or a rear lot line.
193.	<u>194.</u>	Lot line: A boundary of a lot.
194.	<u>195.</u>	Lot of record: 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.
195.	<u>196.</u>	Lot width: The horizontal distance between the side lot lines of a zoning lot at the building line.
196.	<u>197.</u>	Lot, through: Any lot, not a corner lot, which adjoins two streets that are parallel or within 45degrees of being parallel to each other.
197.	<u>198.</u>	Low explosives: 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.
198.	<u>199.</u>	Lowest floor: 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.
199.	<u>200.</u>	Lumen per Square Foot: a measure of illuminance equal to one foot-candle
200.	<u>201.</u>	Lynchburg commercial historic districts design review guidelines: 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.
201.	<u>202.</u>	Lynchburg residential historic districts design review guidelines: 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.
202.	<u>203.</u>	Mansard roof: A roof having two slopes on all sides with the lower slope steeper than the upper one
203.	<u>204.</u>	Manufactured home: 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. 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.
204.	<u>205.</u>	Manufactured home park or subdivision: A parcel (or contiguous parcels) of land divided into two or more manufactured home spaces or lots for rent or sale.
205.	<u>206.</u>	Market for agricultural products: A market selling produce, or other edible products made from and entirely processed on the site of an agricultural operation.
206.	<u>207.</u>	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.
207.	<u>208.</u>	Medical practitioner: A licensed physician, dentist, osteopath, chiropractor, chiropodist (podiatrist). psychologist or optometrist (but not optician).
208.	<u>209.</u>	Medium shrubs. Shrubs and hedge forms having a minimum height of at least two feet at the time of planting.
209.	<u>210.</u>	Metes and bounds: The specific boundaries of an area as measured between geographical points.

210.	<u>211.</u>	Minor map amendment: A change in the official Zoning Map that is not included in the definition of comprehensive Zoning Map amendment.
211.	<u>212.</u>	Mobile food cart: 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.
212.	<u>213.</u>	Mobile food trailer: 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.
213.	<u>214.</u>	Mobile food truck: A self-propelled food establishment that is up to 26 feet long and eight feet wide.
214.	<u>215.</u>	Mobile Food Vehicle: 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.
215.	<u>216.</u>	Mobile Home: 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.
216.	<u>217.</u>	Modified sign: 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.
217.	<u>218.</u>	Modular home or industrialized building: 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.
218.	<u>219.</u>	Monument sign: 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.
219.	<u>220.</u>	Motel or tourist cabin: 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: 1. Contain living or sleeping accommodations used primarily for transient occupancy. 2. Have individual entrances from outside the building to serve each such living or sleeping unit.
220.	<u>221.</u>	Mulch: A protective covering, usually of organic matter placed around plants to prevent evaporation, root freezing and weed growth.
221.	<u>222.</u>	Mural: 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.
222.	<u>223.</u>	Naturalized planting area: 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.
223.	<u>224.</u>	Neighborhood norm: A measure of the average or typical setbacks along two opposing block faces or for three abutting lots (see Section 35.2-61.3(f))
224.	<u>225.</u>	Neon tubing: 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.
225.	<u>226.</u>	New construction: 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.
226.	<u>227.</u>	Non-conforming use: any preexisting structure or object of natural growth that is inconsistent with the provisions of this section or any amendment to this section.
227.	<u>228.</u>	Non-contributing property: 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.
228.	<u>229.</u>	Nonconforming: 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. 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: 1. The existence of less than the required accessory off-street parking spaces or loading berths. 2. The existence of nonconforming accessory signs.
229.	<u>230.</u>	Normal business hours: 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.
230.	<u>231.</u>	Nursing homes: 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).
231.	<u>232.</u>	Obstruction: 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. 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 section 35.2-57.4.
232.	<u>233.</u>	Off-site directional sign: A sign that directs traffic to a site other than the site on which the sign is located.
233.	<u>234.</u>	Off-street loading berth: 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.
234.	<u>235.</u>	Official Zoning Map: That map dividing the City into specific zones or districts.
235.	<u>236.</u>	One hundred year flood (base flood): A flood that has one (1) chance in 100 or a one percent chance of being equaled or exceeded in any given year.
236.	<u>237.</u>	Open Space: 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.
237.	<u>238.</u>	Opinion sign: A sign which does not advertise products, goods, businesses, or services, and which expresses an opinion or other point of view.
238.	<u>239.</u>	Ornamental tree: Deciduous tree that grows to a mature height of less than 30 feet with flowering or other distinguishing characteristics.
239.	<u>240.</u>	Outdoor storage: 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. 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.
240.	<u>241.</u>	Outparcel: A parcel located on the outside perimeter of a commercial development fronting a right of way.
241.	<u>242.</u>	Owner: 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.
242.	<u>243.</u>	Parapet wall: A wall that extends above the top of a flat roof or flat portion of a roof.
243.	<u>244.</u>	Parcel: 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.
244.	<u>245.</u>	Parking area, off-street: 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.
245.	<u>246.</u>	Parking bay: Two parking rows abutting one another or separated by ten feet or less.
246.	<u>247.</u>	Parking garages: 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.
247.	<u>248.</u>	Parking lot: An open lot serving the functions defined above for a parking garage.
248.	<u>249.</u>	Parking row: One single line of parking spaces.
249.	<u>250.</u>	Parking space: 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. 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.
250.	<u>251.</u>	Pedestrian facility: A sidewalk, walking path, bike path or transit/shuttle stop.
251.	<u>252.</u>	Pennant: 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.
252.	<u>253.</u>	Permanent sign: 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.
253.	<u>254.</u>	Permeable or Porous: Capable of allowing water to be conducted through a material, as in permeable surfaces such as grass or soils and porous pavement.
254.	<u>255.</u>	Person: Except as provided in section 35.2-60.2(e) 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.
255.	<u>256.</u>	Phasing Plan: A plan for the development in more than one stage or phase in accordance with section 35.2-11.4 .
256.	<u>257.</u>	Planned unit development or PUD: A multiple-unit residential development of at least five acres arranged in harmony with purposes, provisions and procedures for the planned unit development.
257.	<u>258.</u>	Pole mounted sign: A sign that is mounted on one or more freestanding poles or similar supports.
258.	<u>259.</u>	Political sign: 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.

259.	<u>260.</u>	Porch: an area elevated above grade that adjoins an entry to a building that may be covered or open.
260.	<u>261.</u>	Portable sign: 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.
261.	<u>262.</u>	Preservation: Any activity designed to prevent deterioration or destruction of a structure, a group of structures, or an area or a district.
262.	<u>263.</u>	Primary surface: An imaginary surface, whose design standards are referenced in section 35.2-57.3 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.
263.	<u>264.</u>	Private recreational facilities: 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.
264.	<u>265.</u>	Programmed: 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.
265.	<u>266.</u>	Projecting sign: 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.
266.	<u>267.</u>	Property ownership: For purposes of the occupancy requirements of this ordinance, the owner who resides on the lot shall be: 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 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 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.
267.	<u>268.</u>	Public utility: 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.
268.	<u>269.</u>	Public: 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.
269.	<u>270.</u>	Radio frequency engineer: means a professional engineer licensed by the

		Commonwealth of Virginia with appropriate documented expertise in radio frequency engineering.
270.	<u>271.</u>	Raising: Providing vertical clearance under tree canopy by using appropriate pruning techniques.
271.	<u>272.</u>	Re-facing: 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.
272.	<u>273.</u>	Reach: Longitudinal segments of a river or stream, which will be affected by the placement of an obstruction in a floodway or floodway fringe.
273.	<u>274.</u>	Real estate sign: A temporary sign used to offer property for sale, lease, rent and/or development or to advertise an open house.
274.	<u>275.</u>	Reconstruction: Any activity designed to rebuild entirely, or partially, a structure.
275.	<u>276.</u>	Recreation facility, active: 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.
276.	<u>277.</u>	Recreation facility, passive: 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.
277.	<u>278.</u>	Recreational vehicle: A vehicle which is: 1. built on a single chassis; 2. Four hundred square feet or less when measured at the largest horizontal projection; 3. designed to be self-propelled or permanently towable by a light duty truck; and, 4. designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational camping, travel or seasonal use.
278.	<u>279.</u>	Regulatory flood protection level: That level delineated by the one hundred year flood.
279.	<u>280.</u>	Rehabilitation: Any activity designed to place a structure into a usable condition with or without architectural change.
280.	<u>281.</u>	Religious Institution: A church, synagogue, temple, mosque, convent, monastery or other place of worship
281.	<u>282.</u>	Related People: 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.
282.	<u>283.</u>	Renovation: Any activity relating to the updating and/or the modernization of an older structure involving architectural change.
283.	<u>284.</u>	Repairs in like material and like design: 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.
284.	<u>285.</u>	Residence: 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 houses or apartment hotels. Residences do not include the following: a. Such transient accommodations as transient hotels, motels, tourist cabins or trailer courts. b. Dormitories, fraternity or sorority houses, monasteries or convents. c. In a mixed building, that part of the building used for any nonresidential uses, except accessory to residential uses. 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.
285.	<u>286.</u>	Residence, single-household: A building containing only one (1) dwelling unit.
286.	<u>287.</u>	Residential: Pertaining to one or more residences.
287.	<u>288.</u>	Residential district: Any district whose designation begins with the letter "R".
288.	<u>289.</u>	Residential Street: any local City street where the majority of land use on one or both sides of the street within the block is residential.
289.	<u>290.</u>	Restoration: 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.
290.	<u>291.</u>	Retail establishment: 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.
291.	<u>292.</u>	Riding stable: 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.
292.	<u>293.</u>	Riprap: A permanent, large, loose angular stone generally used for erosion and sediment control in concentrated high velocity flow areas.
293.	<u>294.</u>	Roof sign: A sign installed or constructed upon or above a roof.
294.	<u>295.</u>	Rooming house: 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.
295.	<u>296.</u>	Runway: A specified area on an airport prepared for landing and takeoff of aircraft.
296.	<u>297.</u>	Sanitary or solid waste management facility, private: 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.
297.	<u>298.</u>	Sanitary or solid waste management facility, public: 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.
298.	<u>299.</u>	Sanitary or solid waste management facility: 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.
299.	<u>300.</u>	School: 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.
300.	<u>301.</u>	Screening: 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.
301.	<u>302.</u>	Service station: See Automobile service station.
302.	<u>303.</u>	Setback: See building line.
303.	<u>304.</u>	Shade tree: Deciduous tree that grows to be more than thirty (30) feet at maturity and planted chiefly to provide shade from sunlight.
304.	<u>305.</u>	Shallow flooding area: 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.
305.	<u>306.</u>	Short Term Rental: 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.
306.	<u>307.</u>	Shrub, large: A shrub with a minimum height of three feet at planting.
307.	<u>308.</u>	Shrub medium: A shrub with a minimum height of two feet at planting.
308.	<u>309.</u>	Shrub small: A shrub with a minimum height of one foot at planting.
309.	<u>310.</u>	Shrub: 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.
310.	<u>311.</u>	Sign base: 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.
311.	<u>312.</u>	Sign box: A structure that encloses the sign face(s) and any internal illumination.

312.	<u>313.</u>	Sign face: The area or display surface used for the message, not including the sign frame or sign structure.
313.	<u>314.</u>	Sign frame: The enclosure and/or embellishment that surround the sign face.
314.	<u>315.</u>	Sign structure: An assembly of material used to support a sign face and/or sign frame.
315.	<u>316.</u>	Sign: 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: 1. Attached to or painted on a structure, or in any other manner represented on a building, other structure or motor vehicle; 2. Used to announce, direct attention to, or advertise; 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 4. Accessory to the permitted uses in the zoning district.
316.	<u>317.</u>	Slope: The deviation of a surface from the horizontal.
317.	<u>318.</u>	Solid waste: 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.
318.	<u>319.</u>	Stable, riding: See Riding stable.
319.	<u>320.</u>	Standard project flood limit (SPFL): 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.
320.	<u>321.</u>	Start of construction: 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.
321.	<u>322.</u>	State: means the Commonwealth of Virginia.
322.	<u>323.</u>	Stealth: 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.
323.	<u>324.</u>	Story: 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.
324.	<u>325.</u>	Streamer: Any long narrow strip of cloth, paper, plastic or other material.
325.	<u>326.</u>	Street line: 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.
326.	<u>327.</u>	Street width: The distance between street lines, measured at right angles to the center line of the street.
327.	<u>328.</u>	Street, center line of: 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.
328.	<u>329.</u>	Street: 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.
329.	<u>330.</u>	Structural engineer: means a structural engineer licensed by the Commonwealth of Virginia.
330.	<u>331.</u>	Structure: 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. 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.
331.	<u>332.</u>	Subdivision: 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.
332.	<u>333.</u>	Substantial damage: 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.
333.	<u>334.</u>	Substantial improvement: 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: 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 safe living conditions, or b. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure. 2. For purposes of floodplain regulation: 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: i. before the improvement or repair is started; or ii. if the structure has been damaged, and is being restored, before the damage occurred. 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: i. 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 ii. any alteration of a structure listed on the national register of historic places or a state inventory of historic places. 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.
334.	<u>335.</u>	Surface area of sign: 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.
335.	<u>336.</u>	Swimming pool, commercial: A swimming pool and/or wading pool, including buildings necessary or incidental thereto, open to the general public and operated for profit.
336.	<u>337.</u>	Swimming pool, community: 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.

337.	<u>338.</u>	Swimming pool, private: See private recreational facilities.
338.	<u>339.</u>	Telecommunications facilities: 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 person seeks to locate or has installed upon or near a tower or antenna support structure. The term telecommunications facilities shall not include: 1. Any satellite earth station antenna two meters in diameter or less which is located in an area zoned industrial or commercial; or 2. Any satellite earth station antenna one meter or less in diameter, regardless of zoning category; or 3. Any federally-licensed amateur radio station operators.
339.	<u>340.</u>	Temporary sign: A sign designed or intended to be displayed for a limited period of time as indicated in the Zoning Ordinance.
340.	<u>341.</u>	Thrift store: A store selling used items, particularly clothing for the benefit of a charitable organization.
341.	<u>342.</u>	Topping: 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.
342.	<u>343.</u>	Tourist home or bed and breakfast: 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.
343.	<u>344.</u>	Tower owner: means the person that owns or controls a telecommunications tower.
344.	<u>345.</u>	Tower: 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.
345.	<u>346.</u>	Townhouse: 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.
346.	<u>347.</u>	Trailer: 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.
347.	<u>348.</u>	Transitional surfaces: Imaginary surfaces for airport operations, whose design standards are referenced in section 35.2-57.3 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.
348.	<u>349.</u>	Tree, small deciduous: 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.

349.	<u>350.</u>	Unified and coordinated building mounted signs: Signs that are similar in construction technique, but not including font, or color.
350.	<u>351.</u>	Unified Ownership or Control: 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.
351.	<u>352.</u>	Use, accessory: See accessory use.
352.	<u>353.</u>	Use: 1. Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained or occupied. 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. 3. The term "permitted use," or its equivalent, shall not be deemed to include any nonconforming use.
353.	<u>354.</u>	Utility line, distribution: A utility line that has the primary purpose of distributing services within easements or rights of way and connecting to service utility lines.
354.	<u>355.</u>	Utility line, service: A utility line providing a connection between a utility distribution line and the end user.
355.	<u>356.</u>	Utility line, transmission: 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.
356.	<u>357.</u>	Wall plane projections: An architectural feature or wall jutting out at least three feet from the primary plane of a building wall.
357.	<u>358.</u>	Water feature: 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.
358.	<u>359.</u>	Water surface profiles: 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.
359.	<u>360.</u>	Watercourse: 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.
360.	<u>361.</u>	Window sign: A sign attached to, applied directly to, or located within 12 inches from a door or window.
361.	<u>362.</u>	Yard Sale: Permitted in Zoning Districts used for residential purposes provided the following is adhered to: 1. A total of two sales permitted per calendar year per street address. 2. A sale shall not exceed two consecutive days. 3. Sale shall consist primarily of those personal items accumulated and used by the occupant of the premises.

		4. There shall be a minimum interval of four months between sales. 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. 6. Signs advertising a sale are prohibited on street right-of-ways. 7. Permitted sale shall not create adverse conditions such as noise, nor impede pedestrian or vehicular traffic.
362.	<u>363.</u>	Yard, front: 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.
363.	<u>364.</u>	Yard, rear: 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.
364.	<u>365.</u>	Yard, side: The area between the side of a building and the side property lines
365.	<u>366.</u>	Zone, airport: 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.
366.	<u>367.</u>	Zoning district: The base or overlay zoning designation assigned to each parcel of land within the City of Lynchburg.
367.	<u>368.</u>	Zoning maps: Maps designating the adopted base and overlay zoning district designations for each parcel of land within the City of Lynchburg.

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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)	
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 Section 35.2-71.16)	P
bicycles	2113b	New or used bicycle sales, rental and repair	P
parts, accessories, or tires	2115	Automotive parts and supply stores, automotive stereo stores.	P
gasoline service	2116	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	2117a	Oil change, light auto repair and car wash. May included gasoline and other retail sales.	C
heavy auto repair	2117b	Auto repair, paint and body shops. May include gasoline and other retail sales.	C
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and	2121-2125	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.	
Markets for farm produce or crafts	2199	Markets and truck gardens.	C
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 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	C
Professional offices	2411-2014	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	C
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
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
collection agency	2425	Collect payments, compile credit information, repossess tangible assets	P
Travel arrangement and reservation services	2430	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 section 35.2-73 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.	
Public Utilities Service Minor	4315, 4329, 4339, 4349	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
electric substations	4316		C
Water treatment plants and utility facilities	4331 - 4333,	Water treatment plants, pumping stations and lift stations	C
Theater, dance or music establishment	5110 & 5160	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Motion picture viewing and exhibition services	5111	Operate movie theaters (excluding drive-ins), film festival exhibitions	P
Promoter of sports, performing arts, similar events and management services	5140 - 5150	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	5170	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	P
Museums and Other Special Purpose Recreational Institutions	5200	Public and private museums, historical sites, and similar establishments	P
Amusement or theme park establishment	5310	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>	<u>Abortion clinics – as defined in Section 35.2-113</u> <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		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 section 35.2-71.7)	P

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

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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 Section 35.2-71.16)	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

Land Use	LBCS #	Description	Approval Type
gasoline service	2116	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	2117a	Oil change, light auto repair and car wash. May include gasoline and other related sales.	P
heavy auto repair	2117b	Auto repair, paint and body shops. May include gasoline and other retail sales.	P
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances	2121-2125	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
lumber yard and building materials; heating and plumbing equipment; heavy equipment	2126-2128	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
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

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: 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) 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

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 and banners	P
collection agency	2425	Collect payments, compile credit information, repossess tangible assets	P
Travel arrangement and	2430	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; dyeing 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 section 35.2-73 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
	4329, 4339, 4349	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.	
electric substations	4316		C
Water treatment plants and utility facilities	4331 - 4333,	Water treatment plants, pumping stations and lift stations	C
recycling collection centers	4349	Drop-off facilities for the collection of recycled goods	P
Theater, dance or music establishment	5110 & 5160	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Motion picture viewing and exhibition services	5111	Operate movie theaters (excludes drive-ins), film festival exhibitions	P
Promoter of sports, performing arts, similar events and management services	5140 - 5150	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	5170	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	5180	Outdoor arenas, stadiums and theaters	C
Museums and Other Special Purpose Recreational Institutions	5200	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> <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 section 35.2-71.7)	P
tent revival meetings/transient amusements	9921	Includes temporary carnivals and circuses sponsored by non-profit organizations (see section 35.2-72.23)	P
temporary outdoor promotional attractions	9922	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)	P
traditional neighborhood development	9952	See section 35.2-82	C
large scale retail establishments	9954	See section 35.2-84	P
cluster commercial development	9955	See section 35.2-85	C
flex space development	9956	See section 35.2-86	C
corporate campus	9957	See section 35.2-87	C
Billboards - only existing billboards allowed per section 35.2-64.16	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
single-household detached	1111S	Typical single-household dwelling	P
modular home	1114S	A prefabricated home without axles or frames (see definitions)	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
manufactured home community	1116S	Includes manufactured home subdivision and manufactured home parks with 5 or more lots or sites (see definitions)	C
Two-household (duplex)	1121S	A building located on one (1) zoning lot containing not more than two (2) dwelling units	P
single-household semi-detached	1122S	One of two dwellings separated by a party wall,	P

Land Use	LBCS #	Description	Approval Type
		on abutting lots	
single-household attached (townhouse)	1140S	Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered	P
Multi-household structures	1200S	Includes triplexes, four-plexes, and other multi-household dwellings	P
Mixed-use residential structures	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	P
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)	P

Land Use	LBCS #	Description	Approval Type
		consecutive days. (See Section 35.2-71.16)	
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
gasoline service	2116	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	2117a	Oil change, light auto repair and car wash. May include gasoline and other retail sales	P
heavy auto repair	2117b	Auto repair, paint and body shops. May include gasoline and other retail sales.	P
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances	2121-2125	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
lumber yard and building materials; heating and plumbing equipment; heavy equipment	2126-2128	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
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
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, 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)	
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: 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) 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

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.	
collection agency	2425	Collect payments, compile credit information, repossess tangible assets	P
Travel arrangement and reservation services	2430	Promote or sell travel, includes convention and visitors' bureaus	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
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

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

Land Use	LBCS #	Description	Approval Type
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
school and employee bus transportation	4135	Maintain and dispatch buses and other motor vehicles to transport pupils or employees	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 section 35.2-73 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.	
Public Utilities Service Minor	4315, 4329, 4339, 4349	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
power generation	4315		C
electric substations	4316		P
Water treatment plants and utility facilities	4331 - 4333,	Water treatment plants, pumping stations and lift stations	P
recycling collection centers	4349	Drop-off facilities for the collection of recycled goods	P
Theater, dance or music establishment	5110 & 5160	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
Motion picture viewing and exhibition services	5111	Operate movie theaters, drive-ins, film festival exhibitions (Note: drive-in theaters limited to B-5 district)	P
Promoter of sports, performing arts, similar events and management services	5140 - 5150	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	5170	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	5180	Outdoor arenas, stadiums and theaters	C
Museums and Other Special Purpose Recreational Institutions	5200	Public and private museums, historical sites, and similar establishments	P
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

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> <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.	
Vegetable farming or growing	9120	Includes private fields and community gardens	P
Commercial orchards	9130	Includes fruit and nut trees for commercial production	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 section 35.2-71.7)	P
tent revival meetings/transient amusements	9921	Includes temporary carnivals and circuses sponsored by non-profit organizations (see section 35.2-72.23)	P
temporary outdoor promotional attractions	9922	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)	P
traditional neighborhood	9952	See section 35.2-82	C

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

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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.**

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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

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

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
RESIDENTIAL DENSITY OR HOUSING MODIFICATION FUNCTIONS	1000	Homes, apartments, housing for the elderly, and hotels												
Manufactured Units	1110S													
Single household detached	1111S	Typical single-household dwelling	P	P	P	P	P	P	P	P	C		P	
Manufactured 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	
Manufactured Units	1120S													

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
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	
Household semi-detached	1122S	One of two dwellings separated by a party wall, on abutting lots				P	P				C		P	
Household attached (row house)	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	
Household structures (see regulations for limitations)	1200S	Includes triplexes, four-plexes, and other multi-household dwellings					P	C	C	P	C		P	
Household structures (see regulations for limitations)	1201S	Typically commercial uses on lower floors and residential uses on upper floors					P	C	P	P	P		P	
Long-term Residential 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	
Motels, or Other Lodging Services	1300	Lodging and short-term accommodation for travelers												
Bed and Breakfast and Tourist	1310	Guest rooms in a private home or accessory building to a private home	C	C	C	C	C	P	P	P	P		P	

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
ing and boarding	1320	Dormitory, fraternity or sorority house or other specific group of members												
ing house	1321	Transient or non-transient lodging that may include meals and is owner occupied		C	C	C	C	P	P	P	P		P	
ing house	1322	Transient or non-transient lodging that may include meals				C	C	P	P	P	P		P	
ory, sorority or fraternity	1323	Allowed only as accessory uses to and owned by a college or university		C	C	C	C	C	C	C	C	P	P	
otel, or tourist court	1330	Hotels that do not have gambling services; includes extended-stay hotels							P	P	P		P	C
traveler accommodations	1350	Youth hostels and similar short-term lodging	P	P	P	P	P	P	P	P	P		P	
AL SALES OR SERVICES	2000	Comprises the vast majority of establishments associated with commercial land use												
ales 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												
obile sales or service	2110	Motor vehicle and parts dealers including												

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
Shment		repair and maintenance												
motorcycle, manufactured or RV dealer	2111-2113	New or used automobiles, light trucks, motorcycles, RV's, manufactured homes, and buses									P		P	
s	2113b	New or used bicycle sales, rental and repair						P	P	P	P			
marine craft dealer	2114	New or used boats sales, rental and related repair services								P	P		P	
ccessories, or tires	2115	Automotive parts and supply stores, automotive stereo stores.							P	P	P		P	
e service	2116	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair, and heavy auto repair							P	C	P		P	
otive repair and nance	2117	Repair garages, body and paint shops, oil change, car wash												
to repair (automobile station)	2117a	Oil change, light auto repair and car wash. May include gasoline and other retail sales.							C	C	P		P	
auto repair	2117b	Auto repair, paint and body shops. May include gasoline and other retail sales.								C	P		P	
stop	2118	Retailing fuels primarily to trucks or in												

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
		combination with activities such as providing repair or food services												
consumer goods sales or	2120	Heavy or durable goods sales or services												
re or home furnishings, re, home center, lawn and supplies, department warehouse club or store, electronics and ces	2121-2125	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	
yard and building ls; heating and plumbing ent; heavy equipment	2126-2128	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	
consumer goods sales service	2130	Wide range of product lines such as apparel, appliances, hardware, jewelry, etc.												
ter and software	2131	Computers and prepackaged software including repair, support, and training							P	P	P		P	
and photographic	2132-	Primarily retail cameras and photographic						P	P	P	P	P	P	

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
es; clothing, jewelry, e, shoes, clocks, sewing; g goods, toy and hobby, musical instruments; mixed 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.												
ner goods, other	2140	Establishments that retail merchandise (except groceries or health items) not included in preceding codes												
art supplies, tobacco ts	2141-2143	Florists, art supplies and art dealers, frame shops, tobacco products						P	P	P	P		P	
eries	2142b	Excludes art supply sales and retail framing services		C	C	P	P	P	P	P	P		P	
der or direct selling shment	2144	Retailing other than through locations where shoppers physically visit								P	P		P	
shop	2145	Antique shops, (excludes flea markets, thrift stores and pawn shops)						P	P	P	P		P	
rkets and thrift stores	2145b	Flea markets, consignment shops and thrift stores							P	P	P		P	
y, food, beverage, dairy	2150	Retail food and beverage merchandise from fixed point-of-sale locations												

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
Food store, supermarket, or convenience store, variety 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	
Wine, and liquor store	2155							P	P	P	P		P	
Beauty 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	2199	Markets and truck gardens. Note that limited to goods produced on site in the RC district.	P						C	C	P		P	
Life and Insurance	2200													
Credit union, or savings association	2210	Central banking functions						P	P	P	P		P	
Real estate 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	

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
		mortgages, international trade financing												
shops	2222								P	P	P		P	
term loans	2223	Pay-day lenders and other businesses providing loans with terms of 45 days or less							P	P	P		P	
metal buyers	2224	Businesses providing cash for gold and other precious metals or gems (excludes retail jewelers)							P	P	P		P	
ment banking, securities, mortgages; insurance; fund, or other financial	2230-2250	Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries						P	P	P	P		P	
estate, Rental and Leasing	2300	Rent, lease or occasionally sell assets												
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	P	P	P		P	
property management services	2320	Manage real property for others									P		P	
and leasing	2330	Rent tangible goods such as consumer goods and mechanical equipment to customers;												

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
		excludes establishment primarily renting equipment with operators												
S	2331 & 2332	Lease passenger cars, trucks, trailers, RVs, buses and aircraft; drivers not provided							C		P		P	
Personal goods rental	2333	Rent skis, canoes, bicycles, sailboats, motorcycles								P				
Commercial, industrial or other machinery and equipment rental	2334 - 2335	Rent or lease: 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) b) personal and household-type goods and a range of equipment geared toward consumers											P	
Equipment rental	2337	Includes construction vehicles with gross weights exceeding 26,000 pounds and agricultural vehicles												
Business, Professional, Scientific, and Technical	2400	Perform professional, scientific, and technical services												
Professional services	2410	Services provided depend on worker skills and knowledge rather than equipment												

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
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	
Engineering services (management, environmental)	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	
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)												

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
Administrative services	2421	Office administration such as billing, record keeping, personnel, organizational planning						P	P	P	P		P	P
Business 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	
Small business support services	2423b	Place of assembly for the registration or assignment of employment									P		P	
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
Business support services	2425	Collect payments, compile credit information, repossess tangible assets						P	P	P	P		P	
Business support services	2430	Promote or sell travel, includes convention and visitors' bureaus						P	P	P	P		P	
Business support 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	

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
Services to buildings and grounds	2450	Provide pest control, janitorial services, landscaping, carpet cleaning, etc. (2451-2454)									P		P	
Storage, crating	2455										P		P	
Food services	2500	Prepare meals, snacks, and beverages												
Restaurants, cafeterias, snack 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
Food services	2550	Prepare and serve meals and snacks for immediate consumption from motorized vehicles							P	P	P		P	P
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	
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	

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
		weaving, ear piercing and similar services												
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	
and uniform supply	2623										P		P	
finishing	2630	Primarily engaged in developing film or making slides, etc.						P	P	P	P		P	
ing lot and parking garage	2640	See district standards				C	C	P	P	P	P		P	P
Services	2650													
and massage therapist	2651							P	P	P	P		P	
barlor	2652	Tattoos by a licensed professional							P	P	P		P	
etail establishment	2653	Stores primarily selling adult oriented products, including books, videos, magazines, toys, lingerie and other sexually-oriented goods											P	
Animal Sales or Service (Veterinary)	2700	Retails pets and other animals (except for farming purposes) and pet supplies,												

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
		grooming, training, and care taking												
pet supply store	2710	Retail pets, pet foods, pet supplies							P	P	P		P	
and pet services and	2720	Boarding, grooming, sitting, and training (except veterinary and horse boarding)												
services	2721	grooming and training							P	P	P		P	
boarding	2722	sitting and boarding							C		P		P	
veterinary	2723			C	C	C	C	C	P		P		P	
FACTURING AND SALE TRADE	3000	When captive services such as accounting are provide by a separate establishment, they are classified in the appropriate function code and not in manufacturing												
Textiles, and Related ts	3100	Produce food, tobacco, textiles, and leather												
and beverages	3110	Includes bakery and candy establishments that produce for later consumption; ice manufacturing; dairies; bottling plants; and peanut and coffee roasting								P	P		P	
o manufacturing	3120													

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
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
Paper, and Printing products	3200													
Wood products	3210	Except furniture												
Chemicals and printing materials	3220	Manufactures paper and offer printing-related products												
Food and related products	3230	Includes manufacture and repair of furniture, upholstery, mattresses, window blinds, window shades, awnings cabinets, fixtures								P	P		P	
Metals, and Metals, Machinery, and Electronics Manufacturing	3300	Transform or refine chemicals or metals, and manufacture products from chemicals or metals												
Chemical products	3310	Transform crude petroleum into usable products												
Petroleum gas storage /	3311	This category addresses wholesale services and does not apply to incidental sales for home use												

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
Plastics, plastic and rubber products; non-metallic mineral products; primary metal manufacturing; transportation equipment manufacture	3320 - 3340 & 3370	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												
Electrical equipment, electronic, and components manufacturing	3350 & 3360	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
Transportation equipment and vehicles	3370	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.												
Manufacturing	3400	Use for manufacturing establishments not classified elsewhere												
Jewelry and silverware, sporting toys, games and office	3410-3430	Jewelry, silverware, sporting goods, toys, musical instruments, office supplies, including												P

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
Business		inks. Excludes paper mills and businesses primarily engaged in on-premises retail sales												
	3440	Manufacturing of signs to be erected or installed (excludes banner printing)									P		P	P
Smith	3450	Creation of objects from wrought iron steel, such as gates, railings, furniture, and other functional and decorative items									P		P	
Scale Trade Establishment	3500	Normally operate from a warehouse or office, selling or arranging the purchase of goods to other businesses									P		P	
housing and Storage	3600	Operate warehouse and storage facilities for general merchandise, refrigerated goods												
and warehousing	3610	Storage of goods related to on-site office or retail use								P	P		P	P
housing	3620	Storage of goods as the principal use; includes mini-warehouses, self-storage facilities and moving companies									P		P	
rm	3630	An area used for bulk storage of oil and other petrochemicals in above ground tanks												
round Petroleum Storage	3640	An area used for bulk storage of oil and other												

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
		petrochemicals in underground tanks												
PORTATION, UNICATION, MATION, AND UTILITIES	4000													
ortation Services	4100	Serve passengers and cargo movements												
sporation	4110	Provide transportation for passengers or cargo using aircraft (see section 35.2-72.10 for rules related to heliports and helipads)												C
nsportation	4120	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												
ssenger transportation	4121	Passenger stations only								P	P			P
ght transportation	4122	Rail yards for freight systems; excludes accessory sidings allowed within the I-2 and I-3 districts												
nsportation support shment	4123	Provide specialized services such as repair, maintenance, loading and unloading												

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
ground passenger, and transportation	4130	Urban transit systems, charter and school bus transportation, taxis												
transit systems—bus, 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	
and employee bus transportation	4135	Maintain and dispatch buses and other motor vehicles to transport pupils or employees											P	
and other road and ground	4138	Tow vehicles											P	
and freight transportation	4140	Provide over-the-road transportation of cargo using motor vehicles and temporary storage									C		C	
and water transportation	4150	Provide transportation of passengers and cargo using watercraft												
and sightseeing transportation	4151	Provide water transportation, including scenic and sightseeing, for passengers								P				
air transportation	4170	Use transmission lines to transport products, such as crude oil or natural gas												
services	4180	Operate the national postal service, including establishments that sort, route, and deliver on												

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
		a contract basis												
Post office	4181							P	P	P	P		P	
Courier and package	4182	Retail courier, package drop-off and mail services						P	P	P	P		P	
Parcel 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		P	
Printing	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		P	P
Motion pictures and sound recording	4220	Produce and distribute motion pictures and sound recordings (includes indoor movie but excludes drive-in movie theaters)									P		P	P
Communications and broadcasting	4230	Provide point-to-point communications; if multiple services are shared between the same facilities,												
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

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
Telecommunications transmission	4233	Operate, maintain or provide access to facilities for the transmission of voice, data, text, sound or video, see section 35.2-73 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
Telephone and other wired communications	4234	Operate telephone networks - excludes switching stations	P	P	P	P	P	P	P	P	P		P	P
Telecommunications switching exchanges	4239	Telecommunications switching stations and exchanges with no on-site employees	C	C	C	C	C	C	C	C	C	C	P	C
Information services and data processing and management services	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
News syndicate	4243	Supply information such as news reports, articles, pictures and features to the news media								P	P		P	P
Information processing and management, hosting and related services	4244	Web hosting, computer data storage, optical scanning, computer input preparation, microfilm imaging												
Gas 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												

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
Utilities Services, Major	4315, 4329, 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
Utilities Services, Minor	4315, 4329, 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
Electric power	4310	Provide electric power generation, transmission, control, and distribution												

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
Power generation	4315												C	
Power substations	4316		C	C	C	C	C	C	C	C	C	C	P	P
Water treatment plants and utility systems	4331 - 4333,	Water treatment plants, pumping stations and lift stations	C	C	C	C	C	C	C	C	C	C	P	P
Waste, and related services	4340	Collect, treat, and dispose of waste materials												
Hazardous waste processing, 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												
Waste collection, incineration, landfills or recycling/sorting of recyclable materials from non-hazardous streams	4343 - 4347	Collect or haul hazardous waste, non-hazardous waste, or recyclable materials, operate waste transfer stations; landfill, incineration or composting of non-hazardous solid waste, recycling facilities; septic tank installation and maintenance												
Water treatment plants	4348		C											
Waste collection centers	4349	Drop-off facilities for the collection of recycled goods									P		P	P
RECREATION, CULTURAL, AND ENTERTAINMENT, AND	5000													

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
ATION														
ning Arts or Supporting shments	5100	Produce or organize and promote live presentations, excludes nightclubs												
; dance or music shment	5110 & 5160	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	
picture viewing and on services	5111	Operate movie theaters (excluding drive-ins), film festival exhibitions							P	P	P		P	
er of sports, performing milar events and ement services	5140 - 5150	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers						P	P	P	P		P	P
auditorium or arena	5170	Indoor auditoriums, arenas, conference centers, or multipurpose facilities							C	C	C		C	C
r auditorium/arenas	5180	Outdoor arenas and theaters								C	C		C	C
ns and Other Special e Recreational Institutions	5200	Public and private museums, historical sites, and similar establishments	C	C	C	P	P	P	P	P	P		P	
ement, Sports, or tion Establishment	5300	Operate facilities offering activities and provide services												

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
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	
Gymnasium, recreational sports, gym, club	5370	Operate fitness and recreational sports facilities or provide services for fitness or recreational sports teams, clubs, or individual activities												
Physical and recreational sports	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
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	

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
		facilities.												
g ranges, indoor	5375								C	C	C		C	C
g ranges, outdoor	5376		C											
, Camping, and Related shments	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	
and other Recreational	5500	All parks without special economic functions, other than limited concessions	P	P	P	P	P	P	P	P	P	P	P	P
ATION, PUBLIC ISTRATION, HEALTH AND OTHER CTIONS	6000	Note that City-owned facilities are not subject to zoning district use standards												
ional Services	6100	Offer teaching and learning												
y or preschool	6110	See district standards		P	P	P	P	P	P	P	P	P	P	
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	

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
College or university	6130	See district standards		P	P	P	P	P	P	P	P	P	P	
Vocational, trade, or other community school	6140 & 6568	Offer vocational and technical training as well as vocational rehabilitation services												
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	
Education	6144								P		P		P	
Training	6146	Offer aviation and flight training											P	
Government Functions	6300	Other government owned establishments not classified elsewhere such as defense and national guard establishments								C	P		P	
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
Health and Human Services	6500	Provide health care, social assistance, and associated services												
Hospitality or outpatient care services	6510	Offer health care services directly to patients without providing inpatient services												

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
	6511 & 6567	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans affairs services						P	P	P	P	P	P	
ent care clinic	6512	Provide outpatient family planning services and outpatient care						P	P	P	P	P	P	
n clinic	6512a	<u>Abortion clinics as defined in Section 35.2-113</u>							<u>C</u>		<u>C</u>		<u>C</u>	
l or diagnostic laboratory; rgan bank	6513 - 6514	Provide analytic or diagnostic services including medical imaging							P	P	P	P	P	
g, supervision and other tative 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												
y house	6521	Residential services for pre- or post-release of convicted individuals												
ome 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	
ome 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	

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
		or developmental disabilities												
ation centers	6524	See sanitarium for definition												
al	6530			C	C	C	C	C	C	C	P		P	
assistance, welfare, and ble services	6560	Provide social assistance directly to individuals, do not offer residential or accommodation services												
and youth services	6561	Offer services such as adoption, foster care, drug prevention services										P	P	
and adult day care	6562	Provide day care for children and adults												
	6562a	Day care for fewer than six (6) individuals in a residence	P	P	P	P	P	P	P	P	P	P	P	
	6562b	Day care for six (6) to twelve (12) individuals in a residence		C	C	C	C	P	P	P	P	P	P	
	6562c	Provide care for more than 12 individuals		C	C	C	C	P	P	P	P	P	P	
ervices community food s	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	

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
Religious Institutions	6600	Churches, temples, synagogues, mosques, convents and monasteries		C	C	C	C	P	P	P	P	P	P	
Care Services	6700	Funeral homes, crematories, cemeteries, undertakers												
Funeral home and services	6710	Includes funeral homes combined with crematories						P	P	P	P		P	
Burial or cremation services	6720													
Religious cemetery	6722			C	C	C	C	C	P		P		P	
Crematorium	6724			C	C	C	C	C	C	P	P		P	
CONSTRUCTION-RELATED SERVICES	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.												
CULTURE, FORESTRY,	9000	Grow crops, raise animals, harvest timber,												

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
FISHING, AND HUNTING		and harvest fish and other animals, may be described as farms, greenhouses, nurseries, or hatcheries												
	9100													
	9120	Includes private fields and community gardens	P	P	P	P	P	P	P	P	P	P	P	
	9130	Includes fruit and nut trees for commercial production	P	P	P	P	P	P	P		P	P	P	
House Production	9140													
House - no on-premises	9141	Commercial greenhouse production	P	P	P	P	P		P	P	P		P	
House - sales of products on premises	9142		P						P	P	P		P	
House - sales of products related accessory products	9143								P	P	P		P	
Production	9300	Keep, graze, breed or feed animals (see district standards)	P	P	P	P	P	P	P	P	P	P	P	P
Unassignable or No Function	9900	Temporary placeholder until a code can be assigned												

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
Temporary uses	9920													
Public meetings/transient events	9921	Includes temporary carnivals and circuses (see section 35.2-72.23)		P	P	P	P	P	P	P	P		P	P
Temporary outdoor promotional events	9922	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)							P	P	P		P	
Signage Development Patterns	9950													
Initial cluster development	9951	See section 35.2-80		P	P	P	P							
Local neighborhood development	9952	See section 35.2-82		C	C	C	C	C	C	C	C		C	
Medium density unit development	9953	See section 35.2-83		C	C	C	C							
Large scale retail establishments	9954	See section 35.2-84							P	P	P		P	
Commercial development	9955	See section 35.2-85						C	C	C	C		C	
Office development	9956	See section 35.2-86											C	P
State campus	9957	See section 35.2-87											C	P
Billboards	9990	Billboards and other signs advertising goods											P	

Case	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
		and services not available on the site where the sign is located												

in accordance with § 38 - A (1) of the Charter for the City of Lynchburg, Virginia, this Ordinance shall be published by "pamphlet" Clerk of Council and become effective on March 18, 2026, which is no less than thirty (30) days from the adoption date of this Ordinance.

d: February 12, 2026
d: Alicia L. Fung
Clerk of Council

ZONING ORDINANCE AMENDMENTS

**Public Hearing
Abortion Clinics**

February 12, 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

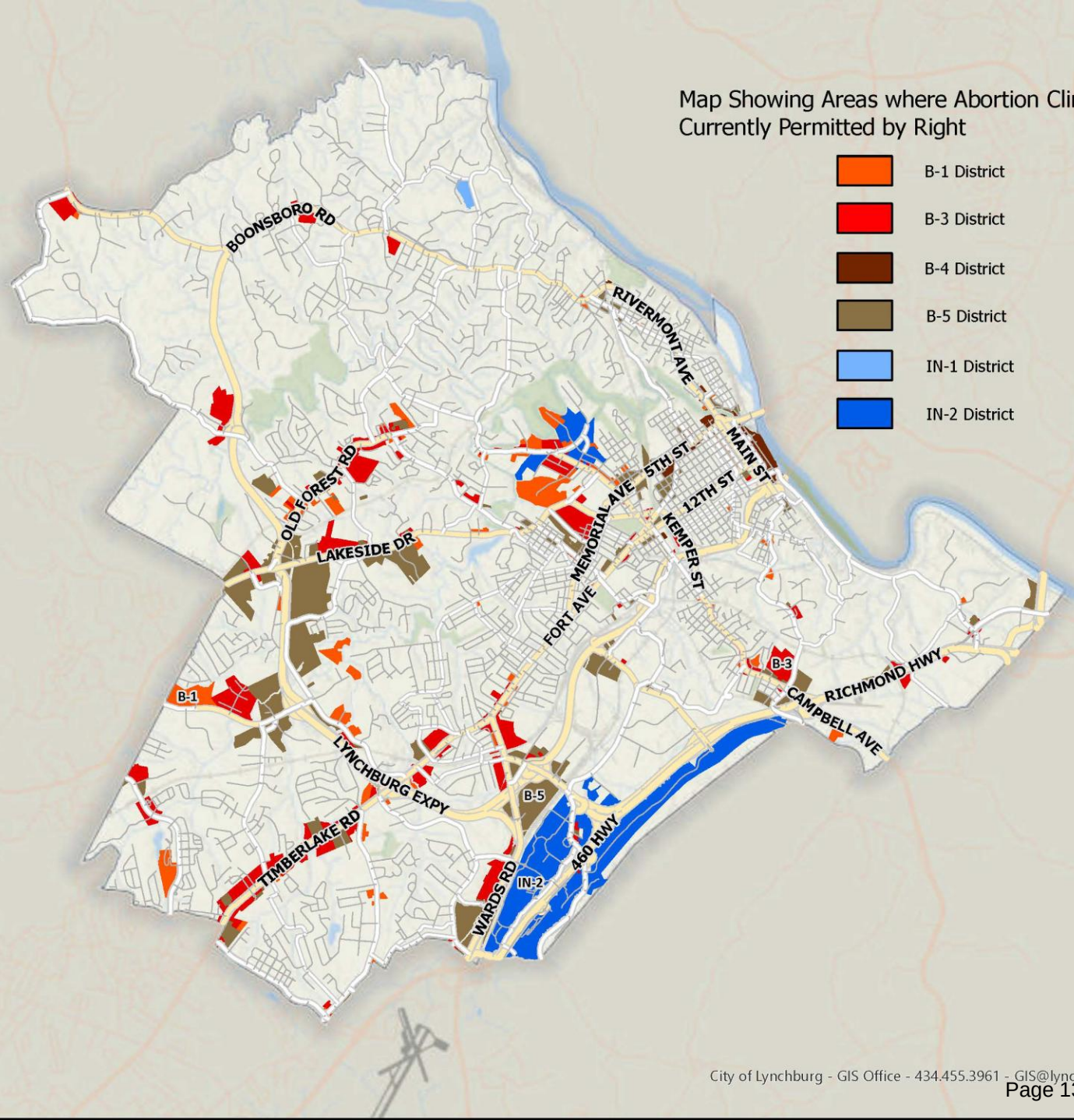
- On October 14, 2025, City Council directed staff (7-0) to initiate the process of amending the Zoning Ordinance to regulate abortion clinics.
- Abortion clinics are currently permitted by right as an “outpatient care clinic” in the B-1, Limited Business District, B-3, Community Business District, B-4, 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

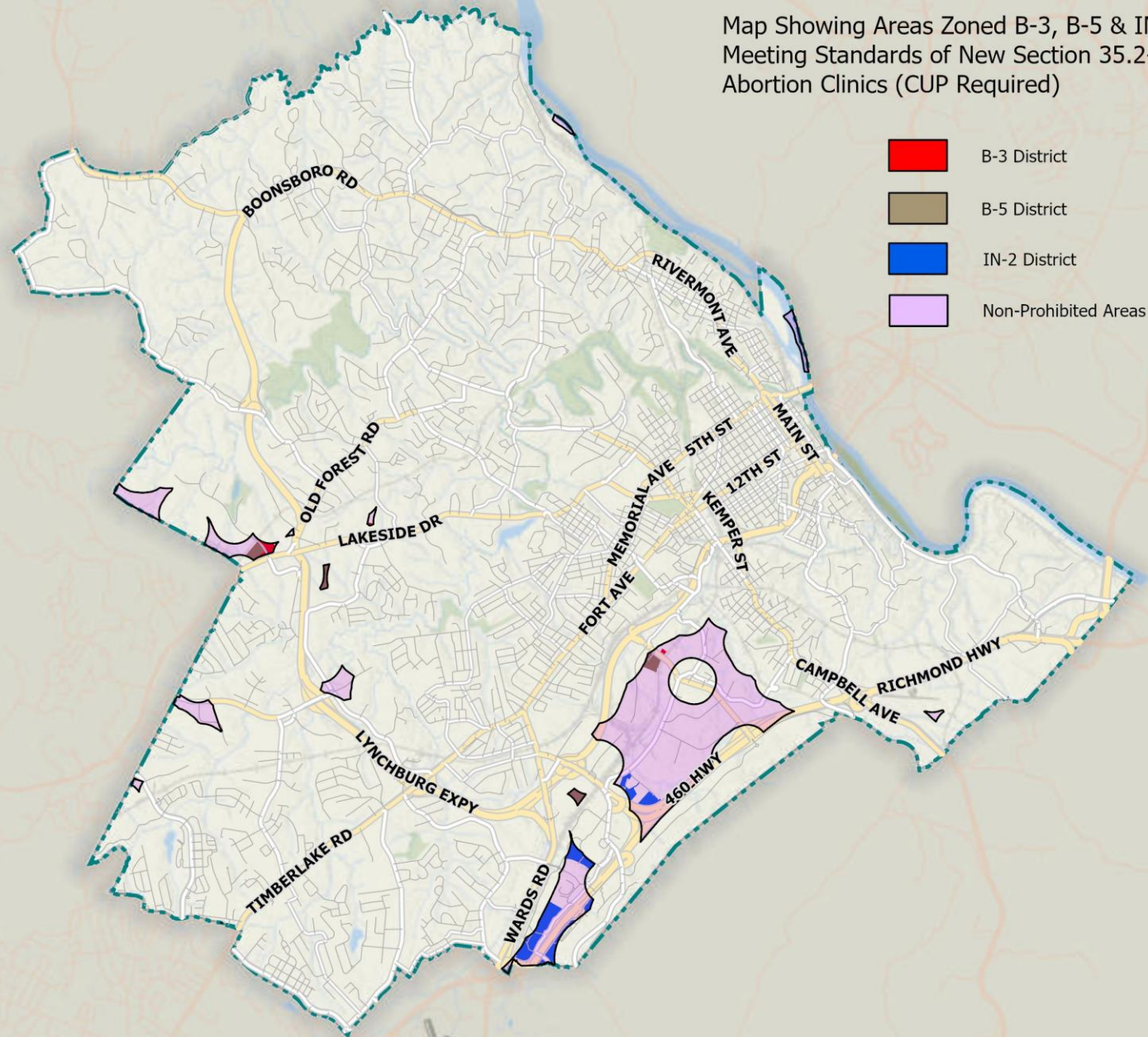
Map Showing Areas where Abortion Clinics
Currently Permitted by Right

-  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 (CUP Required)

-  B-3 District
-  B-5 District
-  IN-2 District
-  Non-Prohibited Areas



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 January 29, 2026 and on February 5, 2026 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>	<u>Abortion clinic:</u> 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.
1.	<u>2.</u>	<u>Abut:</u> To adjoin or touch at one or more points along a common boundary.
2.	<u>3.</u>	<u>Accessible:</u> 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.
3.	<u>4.</u>	<u>Accessory use or accessory:</u> 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

		zoning lot. A use that is clearly incidental to, and customarily found in connection with, such principal use. A use subordinate in area, floor area, intensity, extent and purpose to the principal use. 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. When "accessory" is used in the text, it shall have the same meaning as "accessory use"
4.	<u>5.</u>	Accessory structure: 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.
5.	<u>6.</u>	Address sign: 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.
6.	<u>7.</u>	Adjacent: To abut or be located on the opposite side of a right-of-way or easement.
7.	<u>8.</u>	Administrator or Zoning Administrator: the official charged with the enforcement of this zoning ordinance except where responsibility is specifically delegated.
8.	<u>9.</u>	Agriculture: 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.
9.	<u>10.</u>	Airport elevation: The highest point on any usable landing surface expressed in feet above mean sea level.
10.	<u>11.</u>	Airport or air landing field: 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.
11.	<u>12.</u>	Airport: Lynchburg Regional Airport and/or Falwell Airport.
12.	<u>13.</u>	Alteration: Any change, modification or addition to a part of or all of the exterior of any building or structure.
13.	<u>14.</u>	Amend or amendment: 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.
14.	<u>15.</u>	Antenna support structure: Any building or other structure 30 feet in height or taller other than a tower which can be used for location of telecommunications facilities.
15.	<u>16.</u>	Apartment house: See dwelling, multi-household.
16.	<u>17.</u>	Apartment: 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.
17.	<u>18.</u>	Applicant: Any person who applies for any development approval.
18.	<u>19.</u>	Application or development application: 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.
19.	<u>20.</u>	Approach surface: A surface, whose design standards are referenced in section 35.2-57.3 , 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 section 35.2-57.4 . In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.
20.	<u>21.</u>	Approach, transitional, horizontal, and conical zones: the airspace zones as set forth in section 35.2-57.4 .
21.	<u>22.</u>	Arcade: A public or private pedestrian walkway that is open to the street and covered by the upper floors of a building front.
22.	<u>23.</u>	Arterial or arterial street: A public street currently classified in the comprehensive plan functional classification map as an arterial.
23.	<u>24.</u>	Automobile graveyard: 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.
24.	<u>25.</u>	Automobile service station: 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: 1. Sales and servicing of spark plugs, batteries, and distributors and distributor parts. 2. Tire servicing and repair, but not recapping or regrooving. 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. 4. Radiator cleaning and flushing. 5. Washing and polishing, and sale of automotive washing and polishing materials. 6. Greasing and lubrication. 7. Providing and repairing fuel pumps, oil pumps and lines. 8. Electrical system repairs 9. Adjusting and repairing brakes. 10. Minor motor adjustments not involving racing the motor. 11. Retail sales of convenience goods.

		12. Virginia state inspection station. 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.
25.	<u>26.</u>	Awning: 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.
26.	<u>27.</u>	Banner: 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.
27.	<u>28.</u>	Base flood: The flood having a one percent chance of being equaled or exceeded in any given year.
28.	<u>29.</u>	Base flood elevation: The Federal Emergency Management Agency designated 100-year water surface elevation.
29.	<u>30.</u>	Basement: Any area of the building having its floor sub-grade (below ground level) on all sides.
30.	<u>31.</u>	Bed and breakfast or tourist home: 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.
31.	<u>32.</u>	Billboard or poster panel: 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.
32.	<u>33.</u>	Block face: The edge of a block fronting on a street.
33.	<u>34.</u>	Block: An area of land bounded by streets providing access to such area.
34.	<u>35.</u>	Board of Zoning Appeals: 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.
35.	<u>36.</u>	Boardinghouse or lodging house: 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.
36.	<u>37.</u>	Boarding unit or lodging unit: 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.
37.	<u>38.</u>	Buffer: 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>	Building, accessory: 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>	Building envelope: 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>	Building group: A group of two or more main buildings and any buildings accessory thereto occupying a single zoning lot.
41.	<u>42.</u>	Building line or setback: A line drawn parallel to a lot line at a distance therefrom equal to the depth of a required setback.
42.	<u>43.</u>	Building mounted sign: A permanently attached sign, erected or painted on the outside wall, window, or door of a building.
43.	<u>44.</u>	Building permit: A document issued by the City of Lynchburg to permit the construction, erection or alteration of any structure.
44.	<u>45.</u>	Building, height of: 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 section 35.2-61.2 .
45.	<u>46.</u>	Building, main: 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>	Building, temporary: 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>	Building: Any structure designed or intended for support, shelter, enclosure or protection of persons, animals, chattels or property.
48.	<u>49.</u>	Business district: A zoning district whose designation begins with the letter "B".
49.	<u>50.</u>	Business incubator: 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: (1) It shall contain uses authorized in the applicable zoning district under one roof with a minimum of six tenant spaces. (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. (3) Display rooms for retail sales shall not exceed ten percent of the gross floor area of the tenant space. (4) A tenant shall not be allowed to occupy the facility for more than 48 months.
50.	<u>51.</u>	Caliper: 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>	Campus : 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>	Care center : 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>	Cemetery : 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>	Certificate of appropriateness (COA) : 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>	Certificate of Occupancy : Authorization granted by the City for use of a lot or structure.
56.	<u>57.</u>	Changeable copy sign : 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>	Channel enclosure : Continuous c-shaped metal, or similar opaque material, surrounding three-quarters of the circumference of neon tubing of a sign.
58.	<u>59.</u>	Channel : A natural or artificial depression of perceptible extent with a definite bed and banks to confine and conduct flowing water.
59.	<u>60.</u>	Civic uses : 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>	Collector street : A public street currently classified as a collector street in the functional classification map of the Comprehensive Plan.
61.	<u>62.</u>	Commercial amusement (temporary) : 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>	Commercial amusement : 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.
63.	<u>64.</u>	Commercial building: A building used only for a commercial use.
64.	<u>65.</u>	Commercial recreation: 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.
65.	<u>66.</u>	Commercial use: Any use involving in part or in whole the storage of merchandise, sale of merchandise, materials or services, but not including home occupations.
66.	<u>67.</u>	Community facility use: 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.
67.	<u>68.</u>	Comprehensive Zoning Map amendment: 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.
68.	<u>69.</u>	Community owned: Facilities owned and operated by a public, non-profit or not-for-profit entity and open to the general public.
69.	<u>70.</u>	Concept Plan: (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. (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.
70.	<u>71.</u>	Conditional use: A permit to grant restricted use of property for uses other than those permitted by right.
71.	<u>72.</u>	Conditional zoning or zone: 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.
72.	<u>73.</u>	Conical surface: 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.
73.	<u>74.</u>	Conservation: Any action designed to keep a structure, area containing structures, or

		places from being damaged, lost or wasted.
74.	<u>75.</u>	Construction sign: 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>	Construction, start of: 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>	Contributing property: 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>	Coverage, lot: 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>	Decorative landscape stone: 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>	Delineated wetland: An area delineated by the U.S. Army Corps of Engineers as a wetland.
80.	<u>81.</u>	Demolition: The dismantling or tearing down of all or part of any building or structure and all operations incidental thereto.
81.	<u>82.</u>	Depth of lot: The mean horizontal distance between the front lot line and rear lot line of a lot.
82.	<u>83.</u>	Detached building: A building surrounded by yards or other open area on the same zoning lot.
83.	<u>84.</u>	Development: 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>	Development approval: Any City approval required for development.
85.	<u>86.</u>	Development area / disturbed area: All areas shown within the limits of clearing and grading on a concept plan or final site plan.
86.	<u>87.</u>	Development pattern: See land use development pattern
87.	<u>88.</u>	Digital sign or electronic message center: 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>	Directional sign: 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.

89.	<u>90.</u>	Dwelling: 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.
90.	<u>91.</u>	Dwelling unit: 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.
91.	<u>92.</u>	Dwelling, cluster or cluster development: A development pattern defined in Article VIII of this Zoning Ordinance characterized by small lots and the retention of common open space.
92.	<u>93.</u>	Dwelling, detached: A building containing only dwelling units surrounded by yards or other open area on the same zoning lot.
93.	<u>94.</u>	Dwelling, group: A building group consisting only of dwellings occupying a parcel of land in one ownership and having any yard or service area in common.
94.	<u>95.</u>	Dwelling, multi-household for the elderly: 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.
95.	<u>96.</u>	Dwelling, multi-household: 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.
96.	<u>97.</u>	Dwelling, semi-detached: 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.
97.	<u>98.</u>	Dwelling, single-household: A building containing not more than one dwelling unit and occupied by not more than one household.
98.	<u>99.</u>	Dwelling, townhouse, or row house: 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.
99.	<u>100.</u>	Dwelling, two-household (duplex): 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.
100.	<u>101.</u>	Easement: 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.

101.	<u>102.</u>	Eave: The underside of the projection of a roof beyond the outer wall of a building.
102.	<u>103.</u>	Electrical engineer: An electrical engineer licensed by the Commonwealth of Virginia.
103.	<u>104.</u>	Electronic message center (EMC): see digital sign
104.	<u>105.</u>	Elevated building: 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).
105.	<u>106.</u>	Encroachment , floodplain: 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.
106.	<u>107.</u>	Encroachment lines: 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.
107.	<u>108.</u>	Enlargement, or to enlarge: 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.
108.	<u>109.</u>	Equal degree of encroachment: 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.
109.	<u>110.</u>	Evergreen tree: A tree or shrub that has foliage that persists and stays green throughout the year.
110.	<u>111.</u>	Existing tower: A telecommunications tower that is in existence or is being constructed on December 9, 1997
111.	<u>112.</u>	Extension, or to extend: 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.
112.	<u>113.</u>	Exterior architectural features: 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.
113.	<u>114.</u>	Façade: The outer surface of a building.
114.	<u>115.</u>	Fall zone: 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.
115.	<u>116.</u>	Family day home: 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.
116.	<u>117.</u>	Final site plan: A site plan that when approved in accordance with this ordinance enables an applicant to apply for a building permit.
117.	<u>118.</u>	Fire district: 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.
118.	<u>119.</u>	Flag pole: A freestanding structure or a structure attached to a building or the roof of a building for the sole purpose of displaying flags.
119.	<u>120.</u>	Flag: Any fabric or any other flexible material attached to or designed to be flown from a flagpole or similar device.
120.	<u>121.</u>	Flashing sign: 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.
121.	<u>122.</u>	Flea market: 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.
122.	<u>123.</u>	Flood hazard area: 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.
123.	<u>124.</u>	Flood or flooding: 1. A general or temporary condition or partial or complete inundation of normally dry land areas from: a. the overflow of inland or tidal waters; or, b. the unusual and rapid accumulation or runoff of surface waters from any source. 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.
124.	<u>125.</u>	Floodplains: 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.
125.	<u>126.</u>	Flood-prone area: Any land area susceptible to being inundated by water from any source.
126.	<u>127.</u>	Floodproofing: 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.
127.	<u>128.</u>	Floodway fringe: That portion of the 100-year floodplain outside of the floodway.
128.	<u>129.</u>	Floodway: 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.
129.	<u>130.</u>	Floor area: 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: 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. 2. Elevator shafts or stairwells at each floor. 3. Floor space in penthouses. 4. Attic space (whether or not a floor has been laid) providing structural headroom of eight feet or more. 5. Floor space in interior balconies or mezzanines. 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. 7. Any other floor space used for dwelling purposes, no matter where located within a building, when not specifically excluded. 8. Floor space in accessory buildings except for floor space used for accessory off-street parking. Floor area of a building shall not include: 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. 2. Elevator or stair bulkheads, accessory water tanks or cooling towers. 3. Uncovered steps. 4. Attic space, whether or not a floor actually has been laid, providing structural headroom of less than eight feet. 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. 6. Unenclosed floor space used for permitted or required accessory off-street parking spaces. 7. Floor space used for accessory off-street loading berths. 8. Floor space used for mechanical equipment.
130.	<u>131.</u>	Floor area ratio: 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.)

131.	<u>132.</u>	Floor plate: The floor area of the ground floor or footprint of a building.
132.	<u>133.</u>	Food Establishment: A business operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption.
133.	<u>134.</u>	Foundation planting: Trees and shrubs planted along and adjacent to the perimeter of a building.
134.	<u>135.</u>	Freeboard: 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.
135.	<u>136.</u>	Freestanding sign: A non-movable sign supported by structures or supports in or upon the ground and not attached to a building.
136.	<u>137.</u>	Frontage: The horizontal length of the front lot line of a zoning lot abutting a public street, road, or highway, or rural right-of-way.
137.	<u>138.</u>	Gambrel roof: 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)
138.	<u>139.</u>	Garden apartment units: Group multiple dwellings consisting of more than one main building containing more than one unit per building for single-household occupancy.
139.	<u>140.</u>	Gasoline station: See Automobile service station.
140.	<u>141.</u>	Graphic: Any logo, emblem, insignia, or text, formed by writing, drawing, painting or engraving.
141.	<u>142.</u>	Ground cover: 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.
142.	<u>143.</u>	Group Home: 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. 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

		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. 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.
143.	<u>144.</u>	Guest: Any person hiring and occupying a room for sleeping purposes.
144.	<u>145.</u>	Hazard to air navigation: 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.
145.	<u>146.</u>	Hazardous materials: 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.
146.	<u>147.</u>	Heat island effect: An elevated temperature over an urban area caused by pavement, buildings, other infrastructure and pollutant emissions
147.	<u>148.</u>	Height of building: See Building, height of.
148.	<u>149.</u>	Height of sign: 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.
149.	<u>150.</u>	Height: for the purpose of determining the height limits affected by airport operations in all zones set forth in section 35.2-57.4 and shown on the Zoning Map, the datum shall be mean sea level (M.S.L.) elevation unless otherwise specified.
150.	<u>151.</u>	Helipad: Landing facility for up to two helicopters that may be lit, but does not include facilities for storage, fueling or servicing of helicopters.
151.	<u>152.</u>	Heliport: Facilities for the landing helicopters that may include facilities for storage, servicing and/or fueling one or more helicopters at a time.
152.	<u>153.</u>	Historic area, historic place, or historic structure: 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. 2. Any structure that is: 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

		on the national register; 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; 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 d. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: i. by an approved state program as determined by the secretary of the interior or ii. directly by the secretary of the interior in states without approved programs.
153.	<u>154.</u>	Historic building map: The map of Lynchburg indicating certain structures as historic buildings.
154.	<u>155.</u>	Historic district: 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.
155.	<u>156.</u>	Home occupation: An accessory use which: 1. Is clearly incidental to or secondary to the residential use of a dwelling unit. 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. 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.
156.	<u>157.</u>	Home owners' or property owners' association: 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.
157.	<u>158.</u>	Horizontal surface: An imaginary horizontal plane, whose design standards are referenced in section 35.2-57.3 above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.
158.	<u>159.</u>	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.
159.	<u>160.</u>	Hotel: 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.
160.	<u>161.</u>	Household: The occupants of a single dwelling unit, which shall not exceed three unrelated individuals unless otherwise permitted by this Zoning Ordinance.
161.	<u>162.</u>	Identification sign: 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.
162.	<u>163.</u>	Illegal use: 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.
163.	<u>164.</u>	Illuminated sign: A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
164.	<u>165.</u>	Industrial district: Includes the I-1, I-2 and I-3 zoning districts.
165.	<u>166.</u>	Institutional district: Any district whose designation begins with the letters IN".
166.	<u>167.</u>	Inflatable item: 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.
167.	<u>168.</u>	Inventory, historic: The inventory of historic landmarks, buildings and structures as prepared by the board of historic and architectural review.
168.	<u>169.</u>	Junk yard: 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.
169.	<u>170.</u>	Kennel: 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.
170.	<u>171.</u>	Land Use Development Pattern or Development Pattern: 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.
171.	<u>172.</u>	Land with minor improvements: For purposes of the City's floodplain regulations, a tract of land which: 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.
172.	<u>173.</u>	Landscape island: 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.
173.	<u>174.</u>	Large deciduous tree. 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.
174.	<u>175.</u>	Large farm animal. 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.
175.	<u>176.</u>	Large scale retail establishment: 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.
176.	<u>177.</u>	Level of Service (LOS): 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.
177.	<u>178.</u>	Limited Access Highway or Freeway: 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.
178.	<u>179.</u>	Limited time: A period of time assumed to be not more than one year unless otherwise specified by the Zoning Ordinance or development approval.
179.	<u>180.</u>	Loading berth: A space measuring at least ten feet wide by 35 feet long that is used for the loading or unloading of vehicles.
180.	<u>181.</u>	Local street: A public street not classified as a freeway, arterial or collector street under the definitions in this section.
181.	<u>182.</u>	Lodging house: See Boardinghouse.
182.	<u>183.</u>	Logo: Any emblem used as the symbol of an organization, or residential or nonresidential community. A logo may include a graphic, text, or both.
183.	<u>184.</u>	Lot: 1. A lot of record existing on the effective date of the Zoning Ordinance or any applicable subsequent amendment thereto. 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. 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.

184.	<u>185.</u>	Lot area per dwelling unit: That portion of the lot area required for each dwelling unit located on a zoning lot.
185.	<u>186.</u>	Lot area: 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.
186.	<u>187.</u>	Lot, corner: 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.
187.	<u>188.</u>	Lot coverage: See Coverage, lot.
188.	<u>189.</u>	Lot depth: See Depth of lot.
189.	<u>190.</u>	Lot, interior: Any lot neither a corner lot nor a through lot.
190.	<u>191.</u>	Lot line, front: A street line determined by the Zoning Administrator to be the front of the lot based on prevailing lot patterns and lot dimensions.
191.	<u>192.</u>	Lot line, rear: 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.
192.	<u>193.</u>	Lot line, side: Any lot line that is not a front lot line or a rear lot line.
193.	<u>194.</u>	Lot line: A boundary of a lot.
194.	<u>195.</u>	Lot of record: 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.
195.	<u>196.</u>	Lot width: The horizontal distance between the side lot lines of a zoning lot at the building line.
196.	<u>197.</u>	Lot, through: Any lot, not a corner lot, which adjoins two streets that are parallel or within 45degrees of being parallel to each other.
197.	<u>198.</u>	Low explosives: 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.
198.	<u>199.</u>	Lowest floor: 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.
199.	<u>200.</u>	Lumen per Square Foot: a measure of illuminance equal to one foot-candle

200.	<u>201.</u>	Lynchburg commercial historic districts design review guidelines: 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.
201.	<u>202.</u>	Lynchburg residential historic districts design review guidelines: 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.
202.	<u>203.</u>	Mansard roof: A roof having two slopes on all sides with the lower slope steeper than the upper one
203.	<u>204.</u>	Manufactured home: 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. 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.
204.	<u>205.</u>	Manufactured home park or subdivision: A parcel (or contiguous parcels) of land divided into two or more manufactured home spaces or lots for rent or sale.
205.	<u>206.</u>	Market for agricultural products: A market selling produce, or other edible products made from and entirely processed on the site of an agricultural operation.
206.	<u>207.</u>	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.
207.	<u>208.</u>	Medical practitioner: A licensed physician, dentist, osteopath, chiropractor, chiropodist (podiatrist), psychologist or optometrist (but not optician).
208.	<u>209.</u>	Medium shrubs. Shrubs and hedge forms having a minimum height of at least two feet at the time of planting.
209.	<u>210.</u>	Metes and bounds: The specific boundaries of an area as measured between geographical points.
210.	<u>211.</u>	Minor map amendment: A change in the official Zoning Map that is not included in the definition of comprehensive Zoning Map amendment.
211.	<u>212.</u>	Mobile food cart: 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.

212.	<u>213.</u>	Mobile food trailer: 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.
213.	<u>214.</u>	Mobile food truck: A self-propelled food establishment that is up to 26 feet long and eight feet wide.
214.	<u>215.</u>	Mobile Food Vehicle: 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.
215.	<u>216.</u>	Mobile Home: 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.
216.	<u>217.</u>	Modified sign: 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.
217.	<u>218.</u>	Modular home or industrialized building: 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.
218.	<u>219.</u>	Monument sign: 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.
219.	<u>220.</u>	Motel or tourist cabin: 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: 1. Contain living or sleeping accommodations used primarily for transient occupancy. 2. Have individual entrances from outside the building to serve each such living or sleeping unit.
220.	<u>221.</u>	Mulch: A protective covering, usually of organic matter placed around plants to prevent evaporation, root freezing and weed growth.
221.	<u>222.</u>	Mural: 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.
222.	<u>223.</u>	Naturalized planting area: 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.
223.	<u>224.</u>	Neighborhood norm: A measure of the average or typical setbacks along two opposing block faces or for three abutting lots (see Section 35.2-61.3(f))
224.	<u>225.</u>	Neon tubing: 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.
225.	<u>226.</u>	New construction: 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.
226.	<u>227.</u>	Non-conforming use: any preexisting structure or object of natural growth that is inconsistent with the provisions of this section or any amendment to this section.
227.	<u>228.</u>	Non-contributing property: 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.
228.	<u>229.</u>	Nonconforming: 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. 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: 1. The existence of less than the required accessory off-street parking spaces or loading berths. 2. The existence of nonconforming accessory signs.
229.	<u>230.</u>	Normal business hours: 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.
230.	<u>231.</u>	Nursing homes: 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).
231.	<u>232.</u>	Obstruction: 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. 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 section 35.2-57.4 .

232.	<u>233.</u>	Off-site directional sign: A sign that directs traffic to a site other than the site on which the sign is located.
233.	<u>234.</u>	Off-street loading berth: 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.
234.	<u>235.</u>	Official Zoning Map: That map dividing the City into specific zones or districts.
235.	<u>236.</u>	One hundred year flood (base flood): A flood that has one (1) chance in 100 or a one percent chance of being equaled or exceeded in any given year.
236.	<u>237.</u>	Open Space: 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.
237.	<u>238.</u>	Opinion sign: A sign which does not advertise products, goods, businesses, or services, and which expresses an opinion or other point of view.
238.	<u>239.</u>	Ornamental tree: Deciduous tree that grows to a mature height of less than 30 feet with flowering or other distinguishing characteristics.
239.	<u>240.</u>	Outdoor storage: 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. 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.
240.	<u>241.</u>	Outparcel: A parcel located on the outside perimeter of a commercial development fronting a right of way.
241.	<u>242.</u>	Owner: 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.
242.	<u>243.</u>	Parapet wall: A wall that extends above the top of a flat roof or flat portion of a roof.
243.	<u>244.</u>	Parcel: 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.
244.	<u>245.</u>	Parking area, off-street: 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.
245.	<u>246.</u>	Parking bay: Two parking rows abutting one another or separated by ten feet or less.
246.	<u>247.</u>	Parking garages: 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.
247.	248.	Parking lot: An open lot serving the functions defined above for a parking garage.
248.	249.	Parking row: One single line of parking spaces.
249.	250.	Parking space: 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. 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.
250.	251.	Pedestrian facility: A sidewalk, walking path, bike path or transit/shuttle stop.
251.	252.	Pennant: 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.
252.	253.	Permanent sign: 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.
253.	254.	Permeable or Porous: Capable of allowing water to be conducted through a material, as in permeable surfaces such as grass or soils and porous pavement.
254.	255.	Person: Except as provided in section 35.2-60.2(e) 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.
255.	256.	Phasing Plan: A plan for the development in more than one stage or phase in accordance with section 35.2-11.4 .
256.	257.	Planned unit development or PUD: A multiple-unit residential development of at least five acres arranged in harmony with purposes, provisions and procedures for the planned unit development.
257.	258.	Pole mounted sign: A sign that is mounted on one or more freestanding poles or similar supports.
258.	259.	Political sign: 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.
259.	260.	Porch: an area elevated above grade that adjoins an entry to a building that may be covered or open.
260.	261.	Portable sign: 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.
261.	<u>262.</u>	Preservation: Any activity designed to prevent deterioration or destruction of a structure, a group of structures, or an area or a district.
262.	<u>263.</u>	Primary surface: An imaginary surface, whose design standards are referenced in section 35.2-57.3 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.
263.	<u>264.</u>	Private recreational facilities: 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.
264.	<u>265.</u>	Programmed: 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.
265.	<u>266.</u>	Projecting sign: 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.
266.	<u>267.</u>	Property ownership: For purposes of the occupancy requirements of this ordinance, the owner who resides on the lot shall be: 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 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 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.
267.	<u>268.</u>	Public utility: 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.
268.	<u>269.</u>	Public: 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.
269.	<u>270.</u>	Radio frequency engineer: means a professional engineer licensed by the Commonwealth of Virginia with appropriate documented expertise in radio frequency engineering.
270.	<u>271.</u>	Raising: Providing vertical clearance under tree canopy by using appropriate pruning techniques.

271.	<u>272.</u>	Re-facing: 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.
272.	<u>273.</u>	Reach: Longitudinal segments of a river or stream, which will be affected by the placement of an obstruction in a floodway or floodway fringe.
273.	<u>274.</u>	Real estate sign: A temporary sign used to offer property for sale, lease, rent and/or development or to advertise an open house.
274.	<u>275.</u>	Reconstruction: Any activity designed to rebuild entirely, or partially, a structure.
275.	<u>276.</u>	Recreation facility, active: 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.
276.	<u>277.</u>	Recreation facility, passive: 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.
277.	<u>278.</u>	Recreational vehicle: A vehicle which is: 1. built on a single chassis; 2. Four hundred square feet or less when measured at the largest horizontal projection; 3. designed to be self-propelled or permanently towable by a light duty truck; and, 4. designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational camping, travel or seasonal use.
278.	<u>279.</u>	Regulatory flood protection level: That level delineated by the one hundred year flood.
279.	<u>280.</u>	Rehabilitation: Any activity designed to place a structure into a usable condition with or without architectural change.
280.	<u>281.</u>	Religious Institution: A church, synagogue, temple, mosque, convent, monastery or other place of worship
281.	<u>282.</u>	Related People: 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.
282.	<u>283.</u>	Renovation: Any activity relating to the updating and/or the modernization of an older structure involving architectural change.
283.	<u>284.</u>	Repairs in like material and like design: 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.
284.	<u>285.</u>	Residence: 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

		houses or apartment hotels. Residences do not include the following: a. Such transient accommodations as transient hotels, motels, tourist cabins or trailer courts. b. Dormitories, fraternity or sorority houses, monasteries or convents. c. In a mixed building, that part of the building used for any nonresidential uses, except accessory to residential uses. 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.
285.	<u>286.</u>	Residence, single-household: A building containing only one (1) dwelling unit.
286.	<u>287.</u>	Residential: Pertaining to one or more residences.
287.	<u>288.</u>	Residential district: Any district whose designation begins with the letter "R".
288.	<u>289.</u>	Residential Street: any local City street where the majority of land use on one or both sides of the street within the block is residential.
289.	<u>290.</u>	Restoration: 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.
290.	<u>291.</u>	Retail establishment: 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.
291.	<u>292.</u>	Riding stable: 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.
292.	<u>293.</u>	Riprap: A permanent, large, loose angular stone generally used for erosion and sediment control in concentrated high velocity flow areas.
293.	<u>294.</u>	Roof sign: A sign installed or constructed upon or above a roof.
294.	<u>295.</u>	Rooming house: 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.
295.	<u>296.</u>	Runway: A specified area on an airport prepared for landing and takeoff of aircraft.
296.	<u>297.</u>	Sanitary or solid waste management facility, private: 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.
297.	<u>298.</u>	Sanitary or solid waste management facility, public: 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.
298.	<u>299.</u>	Sanitary or solid waste management facility: 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.
299.	<u>300.</u>	School: 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.
300.	<u>301.</u>	Screening: 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.
301.	<u>302.</u>	Service station: See Automobile service station.
302.	<u>303.</u>	Setback: See building line.
303.	<u>304.</u>	Shade tree: Deciduous tree that grows to be more than thirty (30) feet at maturity and planted chiefly to provide shade from sunlight.
304.	<u>305.</u>	Shallow flooding area: 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.
305.	<u>306.</u>	Short Term Rental: 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.
306.	<u>307.</u>	Shrub, large: A shrub with a minimum height of three feet at planting.
307.	<u>308.</u>	Shrub medium: A shrub with a minimum height of two feet at planting.
308.	<u>309.</u>	Shrub small: A shrub with a minimum height of one foot at planting.
309.	<u>310.</u>	Shrub: 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.
310.	<u>311.</u>	Sign base: 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.
311.	<u>312.</u>	Sign box: A structure that encloses the sign face(s) and any internal illumination.
312.	<u>313.</u>	Sign face: The area or display surface used for the message, not including the sign frame or sign structure.
313.	<u>314.</u>	Sign frame: The enclosure and/or embellishment that surround the sign face.
314.	<u>315.</u>	Sign structure: An assembly of material used to support a sign face and/or sign frame.

315.	<u>316.</u>	Sign: 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: 1. Attached to or painted on a structure, or in any other manner represented on a building, other structure or motor vehicle; 2. Used to announce, direct attention to, or advertise; 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 4. Accessory to the permitted uses in the zoning district.
316.	<u>317.</u>	Slope: The deviation of a surface from the horizontal.
317.	<u>318.</u>	Solid waste: 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.
318.	<u>319.</u>	Stable, riding: See Riding stable.
319.	<u>320.</u>	Standard project flood limit (SPFL): 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.
320.	<u>321.</u>	Start of construction: 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.
321.	<u>322.</u>	State: means the Commonwealth of Virginia.
322.	<u>323.</u>	Stealth: 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.
323.	<u>324.</u>	Story: 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.
324.	<u>325.</u>	Streamer: Any long narrow strip of cloth, paper, plastic or other material.
325.	<u>326.</u>	Street line: 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.
326.	<u>327.</u>	Street width: The distance between street lines, measured at right angles to the center line of the street.
327.	<u>328.</u>	Street, center line of: 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.
328.	<u>329.</u>	Street: 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.
329.	<u>330.</u>	Structural engineer: means a structural engineer licensed by the Commonwealth of Virginia.
330.	<u>331.</u>	Structure: 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. 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.
331.	<u>332.</u>	Subdivision: 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.
332.	<u>333.</u>	Substantial damage: 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.
333.	<u>334.</u>	Substantial improvement: 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: 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

		safe living conditions, or b. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure. 2. For purposes of floodplain regulation: 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: i. before the improvement or repair is started; or ii. if the structure has been damaged, and is being restored, before the damage occurred. 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: i. 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 ii. any alteration of a structure listed on the national register of historic places or a state inventory of historic places. 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.
334.	<u>335.</u>	Surface area of sign: 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.
335.	<u>336.</u>	Swimming pool, commercial: A swimming pool and/or wading pool, including buildings necessary or incidental thereto, open to the general public and operated for profit.
336.	<u>337.</u>	Swimming pool, community: 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.
337.	<u>338.</u>	Swimming pool, private: See private recreational facilities.
338.	<u>339.</u>	Telecommunications facilities: 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

		person seeks to locate or has installed upon or near a tower or antenna support structure. The term telecommunications facilities shall not include: 1. Any satellite earth station antenna two meters in diameter or less which is located in an area zoned industrial or commercial; or 2. Any satellite earth station antenna one meter or less in diameter, regardless of zoning category; or 3. Any federally-licensed amateur radio station operators.
339.	<u>340.</u>	Temporary sign: A sign designed or intended to be displayed for a limited period of time as indicated in the Zoning Ordinance.
340.	<u>341.</u>	Thrift store: A store selling used items, particularly clothing for the benefit of a charitable organization.
341.	<u>342.</u>	Topping: 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.
342.	<u>343.</u>	Tourist home or bed and breakfast: 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.
343.	<u>344.</u>	Tower owner: means the person that owns or controls a telecommunications tower.
344.	<u>345.</u>	Tower: 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.
345.	<u>346.</u>	Townhouse: 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.
346.	<u>347.</u>	Trailer: 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.
347.	<u>348.</u>	Transitional surfaces: Imaginary surfaces for airport operations, whose design standards are referenced in section 35.2-57.3 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.
348.	<u>349.</u>	Tree, small deciduous: 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.
349.	<u>350.</u>	Unified and coordinated building mounted signs: Signs that are similar in construction technique, but not including font, or color.
350.	<u>351.</u>	Unified Ownership or Control: 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.
351.	<u>352.</u>	Use, accessory: See accessory use.
352.	<u>353.</u>	Use: 1. Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained or occupied. 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. 3. The term "permitted use," or its equivalent, shall not be deemed to include any nonconforming use.
353.	<u>354.</u>	Utility line, distribution: A utility line that has the primary purpose of distributing services within easements or rights of way and connecting to service utility lines.
354.	<u>355.</u>	Utility line, service: A utility line providing a connection between a utility distribution line and the end user.
355.	<u>356.</u>	Utility line, transmission: 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.
356.	<u>357.</u>	Wall plane projections: An architectural feature or wall jutting out at least three feet from the primary plane of a building wall.
357.	<u>358.</u>	Water feature: 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.
358.	<u>359.</u>	Water surface profiles: 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.
359.	<u>360.</u>	Watercourse: 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.
360.	<u>361.</u>	Window sign: A sign attached to, applied directly to, or located within 12 inches from a door or window.
361.	<u>362.</u>	Yard Sale: Permitted in Zoning Districts used for residential purposes provided the following is adhered to: 1. A total of two sales permitted per calendar year per street address. 2. A sale shall not exceed two consecutive days. 3. Sale shall consist primarily of those personal items accumulated and used by the occupant of the premises. 4. There shall be a minimum interval of four months between sales. 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. 6. Signs advertising a sale are prohibited on street right-of-ways. 7. Permitted sale shall not create adverse conditions such as noise, nor impede

		pedestrian or vehicular traffic.
362.	<u>363.</u>	Yard, front: 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.
363.	<u>364.</u>	Yard, rear: 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.
364.	<u>365.</u>	Yard, side: The area between the side of a building and the side property lines
365.	<u>366.</u>	Zone, airport: 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.
366.	<u>367.</u>	Zoning district: The base or overlay zoning designation assigned to each parcel of land within the City of Lynchburg.
367.	<u>368.</u>	Zoning maps: 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)	
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 Section 35.2-71.16)	P
bicycles	2113b	New or used bicycle sales, rental and repair	P
parts, accessories, or tires	2115	Automotive parts and supply stores, automotive stereo stores.	P
gasoline service	2116	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	2117a	Oil change, light auto repair and car wash. May included gasoline and other retail sales.	C
heavy auto repair	2117b	Auto repair, paint and body shops. May include gasoline and other retail sales.	C
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and	2121-2125	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.	
Markets for farm produce or crafts	2199	Markets and truck gardens.	C
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 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	C
Professional offices	2411-2014	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	C
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
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
collection agency	2425	Collect payments, compile credit information, repossess tangible assets	P
Travel arrangement and reservation services	2430	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 section 35.2-73 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.	
Public Utilities Service Minor	4315, 4329, 4339, 4349	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
electric substations	4316		C
Water treatment plants and utility facilities	4331 - 4333,	Water treatment plants, pumping stations and lift stations	C
Theater, dance or music establishment	5110 & 5160	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Motion picture viewing and exhibition services	5111	Operate movie theaters (excluding drive-ins), film festival exhibitions	P
Promoter of sports, performing arts, similar events and management services	5140 - 5150	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	5170	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	P
Museums and Other Special Purpose Recreational Institutions	5200	Public and private museums, historical sites, and similar establishments	P
Amusement or theme park establishment	5310	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>	<u>Abortion clinics – as defined in Section 35.2-113</u> <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		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 section 35.2-71.7)	P

Land Use	LBCS #	Description	Approval Type
tent revival meetings/transient amusements	9921	Includes temporary carnivals and circuses sponsored by non-profit organizations (see section 35.2-72.23)	P
temporary outdoor promotional attractions	9922	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)	P
traditional neighborhood development	9952	See section 35.2-82)	C
large scale retail establishments	9954	See section 35.2-84	P
cluster commercial development	9955	See section 35.2-85	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 Section 35.2-71.16)	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

Land Use	LBCS #	Description	Approval Type
gasoline service	2116	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	2117a	Oil change, light auto repair and car wash. May include gasoline and other related sales.	P
heavy auto repair	2117b	Auto repair, paint and body shops. May include gasoline and other retail sales.	P
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances	2121-2125	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
lumber yard and building materials; heating and plumbing equipment; heavy equipment	2126-2128	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
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

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: 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) 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

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 and banners	P
collection agency	2425	Collect payments, compile credit information, repossess tangible assets	P
Travel arrangement and	2430	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; dyeing 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 section 35.2-73 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
	4329, 4339, 4349	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.	
electric substations	4316		C
Water treatment plants and utility facilities	4331 - 4333,	Water treatment plants, pumping stations and lift stations	C
recycling collection centers	4349	Drop-off facilities for the collection of recycled goods	P
Theater, dance or music establishment	5110 & 5160	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Motion picture viewing and exhibition services	5111	Operate movie theaters (excludes drive-ins), film festival exhibitions	P
Promoter of sports, performing arts, similar events and management services	5140 - 5150	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	5170	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	5180	Outdoor arenas, stadiums and theaters	C
Museums and Other Special Purpose Recreational Institutions	5200	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> <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 section 35.2-71.7)	P
tent revival meetings/transient amusements	9921	Includes temporary carnivals and circuses sponsored by non-profit organizations (see section 35.2-72.23)	P
temporary outdoor promotional attractions	9922	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)	P
traditional neighborhood development	9952	See section 35.2-82	C
large scale retail establishments	9954	See section 35.2-84	P
cluster commercial development	9955	See section 35.2-85	C
flex space development	9956	See section 35.2-86	C
corporate campus	9957	See section 35.2-87	C
Billboards - only existing billboards allowed per section 35.2-64.16	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
single-household detached	1111S	Typical single-household dwelling	P
modular home	1114S	A prefabricated home without axles or frames (see definitions)	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
manufactured home community	1116S	Includes manufactured home subdivision and manufactured home parks with 5 or more lots or sites (see definitions)	C
Two-household (duplex)	1121S	A building located on one (1) zoning lot containing not more than two (2) dwelling units	P
single-household semi-detached	1122S	One of two dwellings separated by a party wall,	P

Land Use	LBCS #	Description	Approval Type
		on abutting lots	
single-household attached (townhouse)	1140S	Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered	P
Multi-household structures	1200S	Includes triplexes, four-plexes, and other multi-household dwellings	P
Mixed-use residential structures	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	P
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)	P

Land Use	LBCS #	Description	Approval Type
		consecutive days. (See Section 35.2-71.16)	
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
gasoline service	2116	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	2117a	Oil change, light auto repair and car wash. May include gasoline and other retail sales	P
heavy auto repair	2117b	Auto repair, paint and body shops. May include gasoline and other retail sales.	P
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances	2121-2125	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
lumber yard and building materials; heating and plumbing equipment; heavy equipment	2126-2128	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
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
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, 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)	
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: 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) 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

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.	
collection agency	2425	Collect payments, compile credit information, repossess tangible assets	P
Travel arrangement and reservation services	2430	Promote or sell travel, includes convention and visitors' bureaus	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
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

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

Land Use	LBCS #	Description	Approval Type
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
school and employee bus transportation	4135	Maintain and dispatch buses and other motor vehicles to transport pupils or employees	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 section 35.2-73 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.	
Public Utilities Service Minor	4315, 4329, 4339, 4349	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
power generation	4315		C
electric substations	4316		P
Water treatment plants and utility facilities	4331 - 4333,	Water treatment plants, pumping stations and lift stations	P
recycling collection centers	4349	Drop-off facilities for the collection of recycled goods	P
Theater, dance or music establishment	5110 & 5160	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
Motion picture viewing and exhibition services	5111	Operate movie theaters, drive-ins, film festival exhibitions (Note: drive-in theaters limited to B-5 district)	P
Promoter of sports, performing arts, similar events and management services	5140 - 5150	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	5170	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	5180	Outdoor arenas, stadiums and theaters	C
Museums and Other Special Purpose Recreational Institutions	5200	Public and private museums, historical sites, and similar establishments	P
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

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> <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.	
Vegetable farming or growing	9120	Includes private fields and community gardens	P
Commercial orchards	9130	Includes fruit and nut trees for commercial production	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 section 35.2-71.7)	P
tent revival meetings/transient amusements	9921	Includes temporary carnivals and circuses sponsored by non-profit organizations (see section 35.2-72.23)	P
temporary outdoor promotional attractions	9922	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)	P
traditional neighborhood	9952	See section 35.2-82	C

Land Use	LBCS #	Description	Approval Type
development			
large scale retail establishments	9954	See section 35.2-84	P
cluster commercial development	9955	See section 35.2-85	C
flex space development	9956	See section 35.2-86	C
corporate campus	9957	See section 35.2-87	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.**

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6. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by amending Appendix A – Table of Authorized Land Uses 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	1100S															
single-household detached	1110S															
modular home	1111S	Typical single-household dwelling	P	P	P	P	P	P	P	P	C	P	P	P	P	P
modular home	1114S	A prefabricated home without axles or frames (see definitions)	P	P	P	P	P	P	P	P	C	P	P	P	P	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	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	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	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	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
establishment		repair and maintenance														
car, motorcycle, manufactured homes or RV dealer	2111-2113	New or used automobiles, light trucks, motorcycles, RV's, manufactured homes, and buses								P	P		P			
bicycles	2113b	New or used bicycle sales, rental and repair						P	P	P	P		P			
boat or marine craft dealer	2114	New or used boats sales, rental and related repair services								P	P		P			
parts, accessories, or tires	2115	Automotive parts and supply stores, automotive stereo stores.							P	P	P		P			
gasoline service	2116	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
automotive repair and maintenance	2117	Repair garages, body and paint shops, oil change, car wash														
light auto repair (automobile service station)	2117a	Oil change, light auto repair and car wash. May include gasoline and other retail sales.							C	C	P		P		P	P
heavy auto repair	2117b	Auto repair, paint and body shops. May include gasoline and other retail sales.								C	P		P		P	P
truck stop	2118	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														
Heavy consumer goods sales or service	2120	Heavy or durable goods sales or services														
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances	2121-2125	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			
lumber yard and building materials; heating and plumbing equipment; heavy equipment	2126-2128	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
Durable consumer goods sales and service	2130	Wide range of product lines such as apparel, appliances, hardware, jewelry, etc.														
computer and software	2131	Computers and prepackaged software including repair, support, and training							P	P	P		P			
camera and photographic	2132-	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														
pawn shops	2222								P	P	P		P			
short-term loans	2223	Pay-day lenders and other businesses providing loans with terms of 45 days or less							P	P	P		P			
precious metal buyers	2224	Businesses providing cash for gold and other precious metals or gems (excludes retail jewelers)							P	P	P		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	P	P	P		P			
Real Estate, Rental and Leasing	2300	Rent, lease or occasionally sell assets														
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	P	P	P		P			
Property management services	2320	Manage real property for others									P		P			
Rental and leasing	2330	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														
vehicles	2331 & 2332	Lease passenger cars, trucks, trailers, RVs, buses and aircraft; drivers not provided							C	P	P	P	P			
recreational goods rental	2333	Rent skis, canoes, bicycles, sailboats, motorcycles								P	P	P	P			
commercial, industrial or consumer machinery and equipment rental	2334 - 2335	Rent or lease: 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) b) personal and household-type goods and a range of equipment geared toward consumers									P	P	P		P	P
heavy equipment rental	2337	Includes construction vehicles with gross weights exceeding 26,000 pounds and agricultural vehicles													P	P
Business, Professional, Scientific, and Technical	2400	Perform professional, scientific, and technical services														
Professional services	2410	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														
Pet or pet supply store	2710	Retail pets, pet foods, pet supplies							P	P	P		P			
Animal and pet services and kennels	2720	Boarding, grooming, sitting, and training (except veterinary and horse boarding)														
animal services	2721	grooming and training							P	P	P		P			
animal boarding	2722	sitting and boarding							C		P		P			
pet cemetery	2723			C	C	C	C	C	P		P		P			
MANUFACTURING AND WHOLESALE TRADE	3000	When captive services such as accounting are provide by a separate establishment, they are classified in the appropriate function code and not in manufacturing														
Foods, Textiles, and Related Products	3100	Produce food, tobacco, textiles, and leather														
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	P		P		P	P
Tobacco manufacturing	3120														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; dying 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
Chemicals, plastic and rubber products; non-metallic mineral products, primary metal manufacturing; transportation equipment manufacture	3320 - 3340 & 3370	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
Machinery , electrical equipment, appliance, and components manufacturing	3350 & 3360	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
Transportation equipment and automobiles	3370	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
Miscellaneous Manufacturing	3400	Use for manufacturing establishments not classified elsewhere														
Jewelry and silverware, sporting goods, toys, games and office	3410- 3430	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														
TRANSPORTATION, COMMUNICATION, INFORMATION, AND UTILITIES	4000															
Transportation Services	4100	Serve passengers and cargo movements														
Air transportation	4110	Provide transportation for passengers or cargo using aircraft (see section 35.2-72.10 for rules related to heliports and helipads)												C	P	P
Rail transportation	4120	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														
rail passenger transportation	4121	Passenger stations only								P	P		P	P	P	P
rail freight transportation	4122	Rail yards for freight systems; excludes accessory sidings allowed within the I-2 and I-3 districts														
rail transportation support establishment	4123	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														
national post office	4181							P	P	P	P		P			
retail courier and package delivery	4182	Retail courier, package drop-off and mail services						P	P	P	P		P		P	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		P		P	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		P	P	P	P
Motion pictures and sound recording	4220	Produce and distribute motion pictures and sound recordings (includes indoor movie but excludes drive-in movie theaters)							P	P	P		P	P	P	P
Telecommunications and broadcasting	4230	Provide point-to-point communications; if multiple services are shared between the same facilities,														
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	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 section 35.2-73 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, 4329, 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, 4329, 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 composting 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
RECREATION																
Performing Arts or Supporting Establishments	5100	Produce or organize and promote live presentations, excludes nightclubs														
Theater, dance or music establishment	5110 & 5160	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			
Motion picture viewing and exhibition services	5111	Operate movie theaters (excluding drive-ins), film festival exhibitions							P	P	P		P			
Promoter of sports, performing arts, similar events and management services	5140 - 5150	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers						P	P	P	P		P	P	P	
Indoor auditorium or arena	5170	Indoor auditoriums, arenas, conference centers, or multipurpose facilities							C	C	C		C	C	C	C
Outdoor auditorium/arenas	5180	Outdoor arenas and theaters								C	C		C	C	C	C
Museums and Other Special Purpose Recreational Institutions	5200	Public and private museums, historical sites, and similar establishments	C	C	C	P	P	P	P	P	P		P			
Amusement, Sports, or Recreation Establishment	5300	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	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	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	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			
abortion clinic	6512a	Abortion clinics as defined in Section 35.2-113							C		C		C			
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	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	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	P			
Cemetery or cremation services	6720															
free-standing cemetery	6722		C	C	C	C	C	C	P	P	P	P	P			
columbarium	6724		C	C	C	C	C	C	C	P	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	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
FISHING, AND HUNTING		and harvest fish and other animals, may be described as farms, greenhouses, nurseries, or hatcheries														
Crop Production	9100															
Vegetable farming or growing	9120	Includes private fields and community gardens	P	P	P	P	P	P	P	P	P	P	P			
Commercial orchards	9130	Includes fruit and nut trees for commercial production	P	P	P	P	P	P	P		P	P	P			
Greenhouse Production	9140															
Greenhouse - no on-premises sales	9141	Commercial greenhouse production	P	P	P	P	P		P	P	P		P		P	P
Greenhouse - sales of products grown on premises	9142		P						P	P	P		P		P	P
Greenhouse - sales of products and related accessory products	9143								P	P	P		P		P	P
Animal Production	9300	Keep, graze, breed or feed animals (see district standards)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Unclassifiable or No Function	9900	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 section 35.2-72.23)		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 section 35.2-72.23)							P	P	P		P			
Land Use Development Patterns	9950															
residential cluster development	9951	See section 35.2-80		P	P	P	P									
traditional neighborhood development	9952	See section 35.2-82		C	C	C	C	C	C	C	C		C			
planned unit development	9953	See section 35.2-83		C	C	C	C									
large scale retail establishments	9954	See section 35.2-84							P	P	P		P			
cluster commercial development	9955	See section 35.2-85						C	C	C	C		C			
flex space development	9956	See section 35.2-86									C		C	P	P	
corporate campus	9957	See section 35.2-87									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														

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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 March 18, 2026, 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
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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
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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>	<u>Abortion clinic:</u> 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.
1.	<u>2.</u>	<u>Abut:</u> To adjoin or touch at one or more points along a common boundary.
2.	<u>3.</u>	<u>Accessible:</u> 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.
3.	<u>4.</u>	<u>Accessory use or accessory:</u> 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

		zoning lot. A use that is clearly incidental to, and customarily found in connection with, such principal use. A use subordinate in area, floor area, intensity, extent and purpose to the principal use. 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. When "accessory" is used in the text, it shall have the same meaning as "accessory use"
4.	<u>5.</u>	Accessory structure: 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.
5.	<u>6.</u>	Address sign: 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.
6.	<u>7.</u>	Adjacent: To abut or be located on the opposite side of a right-of-way or easement.
7.	<u>8.</u>	Administrator or Zoning Administrator: the official charged with the enforcement of this zoning ordinance except where responsibility is specifically delegated.
8.	<u>9.</u>	Agriculture: 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.
9.	<u>10.</u>	Airport elevation: The highest point on any usable landing surface expressed in feet above mean sea level.
10.	<u>11.</u>	Airport or air landing field: 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.
11.	<u>12.</u>	Airport: Lynchburg Regional Airport and/or Falwell Airport.
12.	<u>13.</u>	Alteration: Any change, modification or addition to a part of or all of the exterior of any building or structure.
13.	<u>14.</u>	Amend or amendment: 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.
14.	<u>15.</u>	Antenna support structure: Any building or other structure 30 feet in height or taller other than a tower which can be used for location of telecommunications facilities.
15.	<u>16.</u>	Apartment house: See dwelling, multi-household.
16.	<u>17.</u>	Apartment: 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.
17.	<u>18.</u>	Applicant: Any person who applies for any development approval.
18.	<u>19.</u>	Application or development application: 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.
19.	<u>20.</u>	Approach surface: A surface, whose design standards are referenced in section 35.2-57.3 , 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 section 35.2-57.4 . In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.
20.	<u>21.</u>	Approach, transitional, horizontal, and conical zones: the airspace zones as set forth in section 35.2-57.4 .
21.	<u>22.</u>	Arcade: A public or private pedestrian walkway that is open to the street and covered by the upper floors of a building front.
22.	<u>23.</u>	Arterial or arterial street: A public street currently classified in the comprehensive plan functional classification map as an arterial.
23.	<u>24.</u>	Automobile graveyard: 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.
24.	<u>25.</u>	Automobile service station: 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: 1. Sales and servicing of spark plugs, batteries, and distributors and distributor parts. 2. Tire servicing and repair, but not recapping or regrooving. 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. 4. Radiator cleaning and flushing. 5. Washing and polishing, and sale of automotive washing and polishing materials. 6. Greasing and lubrication. 7. Providing and repairing fuel pumps, oil pumps and lines. 8. Electrical system repairs 9. Adjusting and repairing brakes. 10. Minor motor adjustments not involving racing the motor. 11. Retail sales of convenience goods.

		12. Virginia state inspection station. 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.
25.	<u>26.</u>	Awning: 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.
26.	<u>27.</u>	Banner: 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.
27.	<u>28.</u>	Base flood: The flood having a one percent chance of being equaled or exceeded in any given year.
28.	<u>29.</u>	Base flood elevation: The Federal Emergency Management Agency designated 100-year water surface elevation.
29.	<u>30.</u>	Basement: Any area of the building having its floor sub-grade (below ground level) on all sides.
30.	<u>31.</u>	Bed and breakfast or tourist home: 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.
31.	<u>32.</u>	Billboard or poster panel: 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.
32.	<u>33.</u>	Block face: The edge of a block fronting on a street.
33.	<u>34.</u>	Block: An area of land bounded by streets providing access to such area.
34.	<u>35.</u>	Board of Zoning Appeals: 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.
35.	<u>36.</u>	Boardinghouse or lodging house: 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.
36.	<u>37.</u>	Boarding unit or lodging unit: 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.
37.	<u>38.</u>	Buffer: 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>	Building, accessory: 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>	Building envelope: 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>	Building group: A group of two or more main buildings and any buildings accessory thereto occupying a single zoning lot.
41.	<u>42.</u>	Building line or setback: A line drawn parallel to a lot line at a distance therefrom equal to the depth of a required setback.
42.	<u>43.</u>	Building mounted sign: A permanently attached sign, erected or painted on the outside wall, window, or door of a building.
43.	<u>44.</u>	Building permit: A document issued by the City of Lynchburg to permit the construction, erection of alteration of any structure.
44.	<u>45.</u>	Building, height of: 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 section 35.2-61.2 .
45.	<u>46.</u>	Building, main: 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>	Building, temporary: 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>	Building: Any structure designed or intended for support, shelter, enclosure or protection of persons, animals, chattels or property.
48.	<u>49.</u>	Business district: A zoning district whose designation begins with the letter "B".
49.	<u>50.</u>	Business incubator: 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: (1) It shall contain uses authorized in the applicable zoning district under one roof with a minimum of six tenant spaces. (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. (3) Display rooms for retail sales shall not exceed ten percent of the gross floor area of the tenant space. (4) A tenant shall not be allowed to occupy the facility for more than 48 months.
50.	<u>51.</u>	Caliper: 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>	Campus : 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>	Care center : 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>	Cemetery : 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>	Certificate of appropriateness (COA) : 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>	Certificate of Occupancy : Authorization granted by the City for use of a lot or structure.
56.	<u>57.</u>	Changeable copy sign : 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>	Channel enclosure : Continuous c-shaped metal, or similar opaque material, surrounding three-quarters of the circumference of neon tubing of a sign.
58.	<u>59.</u>	Channel : A natural or artificial depression of perceptible extent with a definite bed and banks to confine and conduct flowing water.
59.	<u>60.</u>	Civic uses : 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>	Collector street : A public street currently classified as a collector street in the functional classification map of the Comprehensive Plan.
61.	<u>62.</u>	Commercial amusement (temporary) : 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>	Commercial amusement : 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.
63.	<u>64.</u>	Commercial building: A building used only for a commercial use.
64.	<u>65.</u>	Commercial recreation: 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.
65.	<u>66.</u>	Commercial use: Any use involving in part or in whole the storage of merchandise, sale of merchandise, materials or services, but not including home occupations.
66.	<u>67.</u>	Community facility use: 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.
67.	<u>68.</u>	Comprehensive Zoning Map amendment: 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.
68.	<u>69.</u>	Community owned: Facilities owned and operated by a public, non-profit or not-for-profit entity and open to the general public.
69.	<u>70.</u>	Concept Plan: (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. (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.
70.	<u>71.</u>	Conditional use: A permit to grant restricted use of property for uses other than those permitted by right.
71.	<u>72.</u>	Conditional zoning or zone: 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.
72.	<u>73.</u>	Conical surface: 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.
73.	<u>74.</u>	Conservation: Any action designed to keep a structure, area containing structures, or

		places from being damaged, lost or wasted.
74.	<u>75.</u>	Construction sign: 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>	Construction, start of: 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>	Contributing property: 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>	Coverage, lot: 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>	Decorative landscape stone: 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>	Delineated wetland: An area delineated by the U.S. Army Corps of Engineers as a wetland.
80.	<u>81.</u>	Demolition: The dismantling or tearing down of all or part of any building or structure and all operations incidental thereto.
81.	<u>82.</u>	Depth of lot: The mean horizontal distance between the front lot line and rear lot line of a lot.
82.	<u>83.</u>	Detached building: A building surrounded by yards or other open area on the same zoning lot.
83.	<u>84.</u>	Development: 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>	Development approval: Any City approval required for development.
85.	<u>86.</u>	Development area / disturbed area: All areas shown within the limits of clearing and grading on a concept plan or final site plan.
86.	<u>87.</u>	Development pattern: See land use development pattern
87.	<u>88.</u>	Digital sign or electronic message center: 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>	Directional sign: 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.

89.	<u>90.</u>	Dwelling: 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.
90.	<u>91.</u>	Dwelling unit: 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.
91.	<u>92.</u>	Dwelling, cluster or cluster development: A development pattern defined in Article VIII of this Zoning Ordinance characterized by small lots and the retention of common open space.
92.	<u>93.</u>	Dwelling, detached: A building containing only dwelling units surrounded by yards or other open area on the same zoning lot.
93.	<u>94.</u>	Dwelling, group: A building group consisting only of dwellings occupying a parcel of land in one ownership and having any yard or service area in common.
94.	<u>95.</u>	Dwelling, multi-household for the elderly: 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.
95.	<u>96.</u>	Dwelling, multi-household: 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.
96.	<u>97.</u>	Dwelling, semi-detached: 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.
97.	<u>98.</u>	Dwelling, single-household: A building containing not more than one dwelling unit and occupied by not more than one household.
98.	<u>99.</u>	Dwelling, townhouse, or row house: 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.
99.	<u>100.</u>	Dwelling, two-household (duplex): 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.
100.	<u>101.</u>	Easement: 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.

101.	<u>102.</u>	Eave: The underside of the projection of a roof beyond the outer wall of a building.
102.	<u>103.</u>	Electrical engineer: An electrical engineer licensed by the Commonwealth of Virginia.
103.	<u>104.</u>	Electronic message center (EMC): see digital sign
104.	<u>105.</u>	Elevated building: 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).
105.	<u>106.</u>	Encroachment , floodplain: 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.
106.	<u>107.</u>	Encroachment lines: 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.
107.	<u>108.</u>	Enlargement, or to enlarge: 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.
108.	<u>109.</u>	Equal degree of encroachment: 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.
109.	<u>110.</u>	Evergreen tree: A tree or shrub that has foliage that persists and stays green throughout the year.
110.	<u>111.</u>	Existing tower: A telecommunications tower that is in existence or is being constructed on December 9, 1997
111.	<u>112.</u>	Extension, or to extend: 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.
112.	<u>113.</u>	Exterior architectural features: 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.
113.	<u>114.</u>	Façade: The outer surface of a building.
114.	<u>115.</u>	Fall zone: 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.
115.	<u>116.</u>	Family day home: 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.
116.	<u>117.</u>	Final site plan: A site plan that when approved in accordance with this ordinance enables an applicant to apply for a building permit.
117.	<u>118.</u>	Fire district: 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.
118.	<u>119.</u>	Flag pole: A freestanding structure or a structure attached to a building or the roof of a building for the sole purpose of displaying flags.
119.	<u>120.</u>	Flag: Any fabric or any other flexible material attached to or designed to be flown from a flagpole or similar device.
120.	<u>121.</u>	Flashing sign: 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.
121.	<u>122.</u>	Flea market: 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.
122.	<u>123.</u>	Flood hazard area: 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.
123.	<u>124.</u>	Flood or flooding: 1. A general or temporary condition or partial or complete inundation of normally dry land areas from: a. the overflow of inland or tidal waters; or, b. the unusual and rapid accumulation or runoff of surface waters from any source. 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.
124.	<u>125.</u>	Floodplains: 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.
125.	<u>126.</u>	Flood-prone area: Any land area susceptible to being inundated by water from any source.
126.	<u>127.</u>	Floodproofing: 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.
127.	<u>128.</u>	Floodway fringe: That portion of the 100-year floodplain outside of the floodway.
128.	<u>129.</u>	Floodway: 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.
129.	<u>130.</u>	Floor area: 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: 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. 2. Elevator shafts or stairwells at each floor. 3. Floor space in penthouses. 4. Attic space (whether or not a floor has been laid) providing structural headroom of eight feet or more. 5. Floor space in interior balconies or mezzanines. 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. 7. Any other floor space used for dwelling purposes, no matter where located within a building, when not specifically excluded. 8. Floor space in accessory buildings except for floor space used for accessory off-street parking. Floor area of a building shall not include: 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. 2. Elevator or stair bulkheads, accessory water tanks or cooling towers. 3. Uncovered steps. 4. Attic space, whether or not a floor actually has been laid, providing structural headroom of less than eight feet. 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. 6. Unenclosed floor space used for permitted or required accessory off-street parking spaces. 7. Floor space used for accessory off-street loading berths. 8. Floor space used for mechanical equipment.
130.	<u>131.</u>	Floor area ratio: 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.)

131.	<u>132.</u>	Floor plate: The floor area of the ground floor or footprint of a building.
132.	<u>133.</u>	Food Establishment: A business operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption.
133.	<u>134.</u>	Foundation planting: Trees and shrubs planted along and adjacent to the perimeter of a building.
134.	<u>135.</u>	Freeboard: 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.
135.	<u>136.</u>	Freestanding sign: A non-movable sign supported by structures or supports in or upon the ground and not attached to a building.
136.	<u>137.</u>	Frontage: The horizontal length of the front lot line of a zoning lot abutting a public street, road, or highway, or rural right-of-way.
137.	<u>138.</u>	Gambrel roof: 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)
138.	<u>139.</u>	Garden apartment units: Group multiple dwellings consisting of more than one main building containing more than one unit per building for single-household occupancy.
139.	<u>140.</u>	Gasoline station: See Automobile service station.
140.	<u>141.</u>	Graphic: Any logo, emblem, insignia, or text, formed by writing, drawing, painting or engraving.
141.	<u>142.</u>	Ground cover: 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.
142.	<u>143.</u>	Group Home: 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. 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

		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. 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.
143.	<u>144.</u>	Guest: Any person hiring and occupying a room for sleeping purposes.
144.	<u>145.</u>	Hazard to air navigation: 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.
145.	<u>146.</u>	Hazardous materials: 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.
146.	<u>147.</u>	Heat island effect: An elevated temperature over an urban area caused by pavement, buildings, other infrastructure and pollutant emissions
147.	<u>148.</u>	Height of building: See Building, height of.
148.	<u>149.</u>	Height of sign: 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.
149.	<u>150.</u>	Height: for the purpose of determining the height limits affected by airport operations in all zones set forth in section 35.2-57.4 and shown on the Zoning Map, the datum shall be mean sea level (M.S.L.) elevation unless otherwise specified.
150.	<u>151.</u>	Helipad: Landing facility for up to two helicopters that may be lit, but does not include facilities for storage, fueling or servicing of helicopters.
151.	<u>152.</u>	Heliport: Facilities for the landing helicopters that may include facilities for storage, servicing and/or fueling one or more helicopters at a time.
152.	<u>153.</u>	Historic area, historic place, or historic structure: 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. 2. Any structure that is: 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

		on the national register; 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; 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 d. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: i. by an approved state program as determined by the secretary of the interior or ii. directly by the secretary of the interior in states without approved programs.
153.	<u>154.</u>	Historic building map: The map of Lynchburg indicating certain structures as historic buildings.
154.	<u>155.</u>	Historic district: 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.
155.	<u>156.</u>	Home occupation: An accessory use which: 1. Is clearly incidental to or secondary to the residential use of a dwelling unit. 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. 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.
156.	<u>157.</u>	Home owners' or property owners' association: 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.
157.	<u>158.</u>	Horizontal surface: An imaginary horizontal plane, whose design standards are referenced in section 35.2-57.3 above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.
158.	<u>159.</u>	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.
159.	<u>160.</u>	Hotel: 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.
160.	<u>161.</u>	Household: The occupants of a single dwelling unit, which shall not exceed three unrelated individuals unless otherwise permitted by this Zoning Ordinance.
161.	<u>162.</u>	Identification sign: 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.
162.	<u>163.</u>	Illegal use: 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.
163.	<u>164.</u>	Illuminated sign: A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
164.	<u>165.</u>	Industrial district: Includes the I-1, I-2 and I-3 zoning districts.
165.	<u>166.</u>	Institutional district: Any district whose designation begins with the letters IN".
166.	<u>167.</u>	Inflatable item: 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.
167.	<u>168.</u>	Inventory, historic: The inventory of historic landmarks, buildings and structures as prepared by the board of historic and architectural review.
168.	<u>169.</u>	Junk yard: 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.
169.	<u>170.</u>	Kennel: 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.
170.	<u>171.</u>	Land Use Development Pattern or Development Pattern: 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.
171.	<u>172.</u>	Land with minor improvements: For purposes of the City's floodplain regulations, a tract of land which: 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.
172.	<u>173.</u>	Landscape island: 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.
173.	<u>174.</u>	Large deciduous tree. 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.
174.	<u>175.</u>	Large farm animal. 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.
175.	<u>176.</u>	Large scale retail establishment: 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.
176.	<u>177.</u>	Level of Service (LOS): 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.
177.	<u>178.</u>	Limited Access Highway or Freeway: 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.
178.	<u>179.</u>	Limited time: A period of time assumed to be not more than one year unless otherwise specified by the Zoning Ordinance or development approval.
179.	<u>180.</u>	Loading berth: A space measuring at least ten feet wide by 35 feet long that is used for the loading or unloading of vehicles.
180.	<u>181.</u>	Local street: A public street not classified as a freeway, arterial or collector street under the definitions in this section.
181.	<u>182.</u>	Lodging house: See Boardinghouse.
182.	<u>183.</u>	Logo: Any emblem used as the symbol of an organization, or residential or nonresidential community. A logo may include a graphic, text, or both.
183.	<u>184.</u>	Lot: 1. A lot of record existing on the effective date of the Zoning Ordinance or any applicable subsequent amendment thereto. 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. 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.

184.	<u>185.</u>	Lot area per dwelling unit: That portion of the lot area required for each dwelling unit located on a zoning lot.
185.	<u>186.</u>	Lot area: 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.
186.	<u>187.</u>	Lot, corner: 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.
187.	<u>188.</u>	Lot coverage: See Coverage, lot.
188.	<u>189.</u>	Lot depth: See Depth of lot.
189.	<u>190.</u>	Lot, interior: Any lot neither a corner lot nor a through lot.
190.	<u>191.</u>	Lot line, front: A street line determined by the Zoning Administrator to be the front of the lot based on prevailing lot patterns and lot dimensions.
191.	<u>192.</u>	Lot line, rear: 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.
192.	<u>193.</u>	Lot line, side: Any lot line that is not a front lot line or a rear lot line.
193.	<u>194.</u>	Lot line: A boundary of a lot.
194.	<u>195.</u>	Lot of record: 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.
195.	<u>196.</u>	Lot width: The horizontal distance between the side lot lines of a zoning lot at the building line.
196.	<u>197.</u>	Lot, through: Any lot, not a corner lot, which adjoins two streets that are parallel or within 45degrees of being parallel to each other.
197.	<u>198.</u>	Low explosives: 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.
198.	<u>199.</u>	Lowest floor: 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.
199.	<u>200.</u>	Lumen per Square Foot: a measure of illuminance equal to one foot-candle

200.	<u>201.</u>	Lynchburg commercial historic districts design review guidelines: 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.
201.	<u>202.</u>	Lynchburg residential historic districts design review guidelines: 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.
202.	<u>203.</u>	Mansard roof: A roof having two slopes on all sides with the lower slope steeper than the upper one
203.	<u>204.</u>	Manufactured home: 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. 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.
204.	<u>205.</u>	Manufactured home park or subdivision: A parcel (or contiguous parcels) of land divided into two or more manufactured home spaces or lots for rent or sale.
205.	<u>206.</u>	Market for agricultural products: A market selling produce, or other edible products made from and entirely processed on the site of an agricultural operation.
206.	<u>207.</u>	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.
207.	<u>208.</u>	Medical practitioner: A licensed physician, dentist, osteopath, chiropractor, chiropodist (podiatrist). psychologist or optometrist (but not optician).
208.	<u>209.</u>	Medium shrubs. Shrubs and hedge forms having a minimum height of at least two feet at the time of planting.
209.	<u>210.</u>	Metes and bounds: The specific boundaries of an area as measured between geographical points.
210.	<u>211.</u>	Minor map amendment: A change in the official Zoning Map that is not included in the definition of comprehensive Zoning Map amendment.
211.	<u>212.</u>	Mobile food cart: 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.

212.	<u>213.</u>	Mobile food trailer: 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.
213.	<u>214.</u>	Mobile food truck: A self-propelled food establishment that is up to 26 feet long and eight feet wide.
214.	<u>215.</u>	Mobile Food Vehicle: 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.
215.	<u>216.</u>	Mobile Home: 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.
216.	<u>217.</u>	Modified sign: 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.
217.	<u>218.</u>	Modular home or industrialized building: 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.
218.	<u>219.</u>	Monument sign: 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.
219.	<u>220.</u>	Motel or tourist cabin: 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: 1. Contain living or sleeping accommodations used primarily for transient occupancy. 2. Have individual entrances from outside the building to serve each such living or sleeping unit.
220.	<u>221.</u>	Mulch: A protective covering, usually of organic matter placed around plants to prevent evaporation, root freezing and weed growth.
221.	<u>222.</u>	Mural: 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.
222.	<u>223.</u>	Naturalized planting area: 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.
223.	<u>224.</u>	Neighborhood norm: A measure of the average or typical setbacks along two opposing block faces or for three abutting lots (see Section 35.2-61.3(f))
224.	<u>225.</u>	Neon tubing: 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.
225.	<u>226.</u>	New construction: 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.
226.	<u>227.</u>	Non-conforming use: any preexisting structure or object of natural growth that is inconsistent with the provisions of this section or any amendment to this section.
227.	<u>228.</u>	Non-contributing property: 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.
228.	<u>229.</u>	Nonconforming: 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. 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: 1. The existence of less than the required accessory off-street parking spaces or loading berths. 2. The existence of nonconforming accessory signs.
229.	<u>230.</u>	Normal business hours: 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.
230.	<u>231.</u>	Nursing homes: 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).
231.	<u>232.</u>	Obstruction: 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. 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 section 35.2-57.4 .

232.	<u>233.</u>	Off-site directional sign: A sign that directs traffic to a site other than the site on which the sign is located.
233.	<u>234.</u>	Off-street loading berth: 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.
234.	<u>235.</u>	Official Zoning Map: That map dividing the City into specific zones or districts.
235.	<u>236.</u>	One hundred year flood (base flood): A flood that has one (1) chance in 100 or a one percent chance of being equaled or exceeded in any given year.
236.	<u>237.</u>	Open Space: 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.
237.	<u>238.</u>	Opinion sign: A sign which does not advertise products, goods, businesses, or services, and which expresses an opinion or other point of view.
238.	<u>239.</u>	Ornamental tree: Deciduous tree that grows to a mature height of less than 30 feet with flowering or other distinguishing characteristics.
239.	<u>240.</u>	Outdoor storage: 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. 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.
240.	<u>241.</u>	Outparcel: A parcel located on the outside perimeter of a commercial development fronting a right of way.
241.	<u>242.</u>	Owner: 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.
242.	<u>243.</u>	Parapet wall: A wall that extends above the top of a flat roof or flat portion of a roof.
243.	<u>244.</u>	Parcel: 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.
244.	<u>245.</u>	Parking area, off-street: 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.
245.	<u>246.</u>	Parking bay: Two parking rows abutting one another or separated by ten feet or less.
246.	<u>247.</u>	Parking garages: 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.
247.	248.	Parking lot: An open lot serving the functions defined above for a parking garage.
248.	249.	Parking row: One single line of parking spaces.
249.	250.	Parking space: 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. 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.
250.	251.	Pedestrian facility: A sidewalk, walking path, bike path or transit/shuttle stop.
251.	252.	Pennant: 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.
252.	253.	Permanent sign: 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.
253.	254.	Permeable or Porous: Capable of allowing water to be conducted through a material, as in permeable surfaces such as grass or soils and porous pavement.
254.	255.	Person: Except as provided in section 35.2-60.2(e) 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.
255.	256.	Phasing Plan: A plan for the development in more than one stage or phase in accordance with section 35.2-11.4 .
256.	257.	Planned unit development or PUD: A multiple-unit residential development of at least five acres arranged in harmony with purposes, provisions and procedures for the planned unit development.
257.	258.	Pole mounted sign: A sign that is mounted on one or more freestanding poles or similar supports.
258.	259.	Political sign: 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.
259.	260.	Porch: an area elevated above grade that adjoins an entry to a building that may be covered or open.
260.	261.	Portable sign: 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.
261.	<u>262.</u>	Preservation: Any activity designed to prevent deterioration or destruction of a structure, a group of structures, or an area or a district.
262.	<u>263.</u>	Primary surface: An imaginary surface, whose design standards are referenced in section 35.2-57.3 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.
263.	<u>264.</u>	Private recreational facilities: 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.
264.	<u>265.</u>	Programmed: 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.
265.	<u>266.</u>	Projecting sign: 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.
266.	<u>267.</u>	Property ownership: For purposes of the occupancy requirements of this ordinance, the owner who resides on the lot shall be: 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 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 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.
267.	<u>268.</u>	Public utility: 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.
268.	<u>269.</u>	Public: 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.
269.	<u>270.</u>	Radio frequency engineer: means a professional engineer licensed by the Commonwealth of Virginia with appropriate documented expertise in radio frequency engineering.
270.	<u>271.</u>	Raising: Providing vertical clearance under tree canopy by using appropriate pruning techniques.

271.	<u>272.</u>	Re-facing: 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.
272.	<u>273.</u>	Reach: Longitudinal segments of a river or stream, which will be affected by the placement of an obstruction in a floodway or floodway fringe.
273.	<u>274.</u>	Real estate sign: A temporary sign used to offer property for sale, lease, rent and/or development or to advertise an open house.
274.	<u>275.</u>	Reconstruction: Any activity designed to rebuild entirely, or partially, a structure.
275.	<u>276.</u>	Recreation facility, active: 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.
276.	<u>277.</u>	Recreation facility, passive: 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.
277.	<u>278.</u>	Recreational vehicle: A vehicle which is: 1. built on a single chassis; 2. Four hundred square feet or less when measured at the largest horizontal projection; 3. designed to be self-propelled or permanently towable by a light duty truck; and, 4. designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational camping, travel or seasonal use.
278.	<u>279.</u>	Regulatory flood protection level: That level delineated by the one hundred year flood.
279.	<u>280.</u>	Rehabilitation: Any activity designed to place a structure into a usable condition with or without architectural change.
280.	<u>281.</u>	Religious Institution: A church, synagogue, temple, mosque, convent, monastery or other place of worship
281.	<u>282.</u>	Related People: 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.
282.	<u>283.</u>	Renovation: Any activity relating to the updating and/or the modernization of an older structure involving architectural change.
283.	<u>284.</u>	Repairs in like material and like design: 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.
284.	<u>285.</u>	Residence: 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

		houses or apartment hotels. Residences do not include the following: a. Such transient accommodations as transient hotels, motels, tourist cabins or trailer courts. b. Dormitories, fraternity or sorority houses, monasteries or convents. c. In a mixed building, that part of the building used for any nonresidential uses, except accessory to residential uses. 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.
285.	<u>286.</u>	Residence, single-household: A building containing only one (1) dwelling unit.
286.	<u>287.</u>	Residential: Pertaining to one or more residences.
287.	<u>288.</u>	Residential district: Any district whose designation begins with the letter "R".
288.	<u>289.</u>	Residential Street: any local City street where the majority of land use on one or both sides of the street within the block is residential.
289.	<u>290.</u>	Restoration: 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.
290.	<u>291.</u>	Retail establishment: 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.
291.	<u>292.</u>	Riding stable: 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.
292.	<u>293.</u>	Riprap: A permanent, large, loose angular stone generally used for erosion and sediment control in concentrated high velocity flow areas.
293.	<u>294.</u>	Roof sign: A sign installed or constructed upon or above a roof.
294.	<u>295.</u>	Rooming house: 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.
295.	<u>296.</u>	Runway: A specified area on an airport prepared for landing and takeoff of aircraft.
296.	<u>297.</u>	Sanitary or solid waste management facility, private: 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.
297.	<u>298.</u>	Sanitary or solid waste management facility, public: 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.
298.	<u>299.</u>	Sanitary or solid waste management facility: 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.
299.	<u>300.</u>	School: 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.
300.	<u>301.</u>	Screening: 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.
301.	<u>302.</u>	Service station: See Automobile service station.
302.	<u>303.</u>	Setback: See building line.
303.	<u>304.</u>	Shade tree: Deciduous tree that grows to be more than thirty (30) feet at maturity and planted chiefly to provide shade from sunlight.
304.	<u>305.</u>	Shallow flooding area: 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.
305.	<u>306.</u>	Short Term Rental: 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.
306.	<u>307.</u>	Shrub, large: A shrub with a minimum height of three feet at planting.
307.	<u>308.</u>	Shrub medium: A shrub with a minimum height of two feet at planting.
308.	<u>309.</u>	Shrub small: A shrub with a minimum height of one foot at planting.
309.	<u>310.</u>	Shrub: 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.
310.	<u>311.</u>	Sign base: 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.
311.	<u>312.</u>	Sign box: A structure that encloses the sign face(s) and any internal illumination.
312.	<u>313.</u>	Sign face: The area or display surface used for the message, not including the sign frame or sign structure.
313.	<u>314.</u>	Sign frame: The enclosure and/or embellishment that surround the sign face.
314.	<u>315.</u>	Sign structure: An assembly of material used to support a sign face and/or sign frame.

315.	<u>316.</u>	Sign: 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: 1. Attached to or painted on a structure, or in any other manner represented on a building, other structure or motor vehicle; 2. Used to announce, direct attention to, or advertise; 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 4. Accessory to the permitted uses in the zoning district.
316.	<u>317.</u>	Slope: The deviation of a surface from the horizontal.
317.	<u>318.</u>	Solid waste: 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.
318.	<u>319.</u>	Stable, riding: See Riding stable.
319.	<u>320.</u>	Standard project flood limit (SPFL): 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.
320.	<u>321.</u>	Start of construction: 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.
321.	<u>322.</u>	State: means the Commonwealth of Virginia.
322.	<u>323.</u>	Stealth: 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.
323.	<u>324.</u>	Story: 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.
324.	<u>325.</u>	Streamer: Any long narrow strip of cloth, paper, plastic or other material.
325.	<u>326.</u>	Street line: 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.
326.	<u>327.</u>	Street width: The distance between street lines, measured at right angles to the center line of the street.
327.	<u>328.</u>	Street, center line of: 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.
328.	<u>329.</u>	Street: 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.
329.	<u>330.</u>	Structural engineer: means a structural engineer licensed by the Commonwealth of Virginia.
330.	<u>331.</u>	Structure: 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. 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.
331.	<u>332.</u>	Subdivision: 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.
332.	<u>333.</u>	Substantial damage: 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.
333.	<u>334.</u>	Substantial improvement: 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: 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

		safe living conditions, or b. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure. 2. For purposes of floodplain regulation: 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: - before the improvement or repair is started; or - if the structure has been damaged, and is being restored, before the damage occurred. 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: - 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 - any alteration of a structure listed on the national register of historic places or a state inventory of historic places. 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.
334.	<u>335.</u>	Surface area of sign: 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.
335.	<u>336.</u>	Swimming pool, commercial: A swimming pool and/or wading pool, including buildings necessary or incidental thereto, open to the general public and operated for profit.
336.	<u>337.</u>	Swimming pool, community: 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.
337.	<u>338.</u>	Swimming pool, private: See private recreational facilities.
338.	<u>339.</u>	Telecommunications facilities: 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

		person seeks to locate or has installed upon or near a tower or antenna support structure. The term telecommunications facilities shall not include: 1. Any satellite earth station antenna two meters in diameter or less which is located in an area zoned industrial or commercial; or 2. Any satellite earth station antenna one meter or less in diameter, regardless of zoning category; or 3. Any federally-licensed amateur radio station operators.
339.	<u>340.</u>	Temporary sign: A sign designed or intended to be displayed for a limited period of time as indicated in the Zoning Ordinance.
340.	<u>341.</u>	Thrift store: A store selling used items, particularly clothing for the benefit of a charitable organization.
341.	<u>342.</u>	Topping: 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.
342.	<u>343.</u>	Tourist home or bed and breakfast: 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.
343.	<u>344.</u>	Tower owner: means the person that owns or controls a telecommunications tower.
344.	<u>345.</u>	Tower: 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.
345.	<u>346.</u>	Townhouse: 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.
346.	<u>347.</u>	Trailer: 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.
347.	<u>348.</u>	Transitional surfaces: Imaginary surfaces for airport operations, whose design standards are referenced in section 35.2-57.3 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.
348.	<u>349.</u>	Tree, small deciduous: 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.
349.	<u>350.</u>	Unified and coordinated building mounted signs: Signs that are similar in construction technique, but not including font, or color.
350.	<u>351.</u>	Unified Ownership or Control: 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.
351.	<u>352.</u>	Use, accessory: See accessory use.
352.	<u>353.</u>	Use: 1. Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained or occupied. 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. 3. The term "permitted use," or its equivalent, shall not be deemed to include any nonconforming use.
353.	<u>354.</u>	Utility line, distribution: A utility line that has the primary purpose of distributing services within easements or rights of way and connecting to service utility lines.
354.	<u>355.</u>	Utility line, service: A utility line providing a connection between a utility distribution line and the end user.
355.	<u>356.</u>	Utility line, transmission: 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.
356.	<u>357.</u>	Wall plane projections: An architectural feature or wall jutting out at least three feet from the primary plane of a building wall.
357.	<u>358.</u>	Water feature: 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.
358.	<u>359.</u>	Water surface profiles: 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.
359.	<u>360.</u>	Watercourse: 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.
360.	<u>361.</u>	Window sign: A sign attached to, applied directly to, or located within 12 inches from a door or window.
361.	<u>362.</u>	Yard Sale: Permitted in Zoning Districts used for residential purposes provided the following is adhered to: 1. A total of two sales permitted per calendar year per street address. 2. A sale shall not exceed two consecutive days. 3. Sale shall consist primarily of those personal items accumulated and used by the occupant of the premises. 4. There shall be a minimum interval of four months between sales. 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. 6. Signs advertising a sale are prohibited on street right-of-ways. 7. Permitted sale shall not create adverse conditions such as noise, nor impede

		pedestrian or vehicular traffic.
362.	<u>363.</u>	Yard, front: 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.
363.	<u>364.</u>	Yard, rear: 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.
364.	<u>365.</u>	Yard, side: The area between the side of a building and the side property lines
365.	<u>366.</u>	Zone, airport: 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.
366.	<u>367.</u>	Zoning district: The base or overlay zoning designation assigned to each parcel of land within the City of Lynchburg.
367.	<u>368.</u>	Zoning maps: Maps designating the adopted base and overlay zoning district designations for each parcel of land within the City of Lynchburg.

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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)	
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 Section 35.2-71.16)	P
bicycles	2113b	New or used bicycle sales, rental and repair	P
parts, accessories, or tires	2115	Automotive parts and supply stores, automotive stereo stores.	P
gasoline service	2116	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	2117a	Oil change, light auto repair and car wash. May included gasoline and other retail sales.	C
heavy auto repair	2117b	Auto repair, paint and body shops. May include gasoline and other retail sales.	C
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and	2121-2125	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.	
Markets for farm produce or crafts	2199	Markets and truck gardens.	C
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 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	C
Professional offices	2411-2014	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	C
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
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
collection agency	2425	Collect payments, compile credit information, repossess tangible assets	P
Travel arrangement and reservation services	2430	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 section 35.2-73 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.	
Public Utilities Service Minor	4315, 4329, 4339, 4349	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
electric substations	4316		C
Water treatment plants and utility facilities	4331 - 4333,	Water treatment plants, pumping stations and lift stations	C
Theater, dance or music establishment	5110 & 5160	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Motion picture viewing and exhibition services	5111	Operate movie theaters (excluding drive-ins), film festival exhibitions	P
Promoter of sports, performing arts, similar events and management services	5140 - 5150	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	5170	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	P
Museums and Other Special Purpose Recreational Institutions	5200	Public and private museums, historical sites, and similar establishments	P
Amusement or theme park establishment	5310	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>	<u>Abortion clinics – as defined in Section 35.2-113</u> <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		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 section 35.2-71.7)	P

Land Use	LBCS #	Description	Approval Type
tent revival meetings/transient amusements	9921	Includes temporary carnivals and circuses sponsored by non-profit organizations (see section 35.2-72.23)	P
temporary outdoor promotional attractions	9922	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)	P
traditional neighborhood development	9952	See section 35.2-82)	C
large scale retail establishments	9954	See section 35.2-84	P
cluster commercial development	9955	See section 35.2-85	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 Section 35.2-71.16)	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

Land Use	LBCS #	Description	Approval Type
gasoline service	2116	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	2117a	Oil change, light auto repair and car wash. May include gasoline and other related sales.	P
heavy auto repair	2117b	Auto repair, paint and body shops. May include gasoline and other retail sales.	P
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances	2121-2125	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
lumber yard and building materials; heating and plumbing equipment; heavy equipment	2126-2128	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
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

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: 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) 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

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 and banners	P
collection agency	2425	Collect payments, compile credit information, repossess tangible assets	P
Travel arrangement and	2430	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 section 35.2-73 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
	4329, 4339, 4349	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.	
electric substations	4316		C
Water treatment plants and utility facilities	4331 - 4333,	Water treatment plants, pumping stations and lift stations	C
recycling collection centers	4349	Drop-off facilities for the collection of recycled goods	P
Theater, dance or music establishment	5110 & 5160	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Motion picture viewing and exhibition services	5111	Operate movie theaters (excludes drive-ins), film festival exhibitions	P
Promoter of sports, performing arts, similar events and management services	5140 - 5150	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	5170	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	5180	Outdoor arenas, stadiums and theaters	C
Museums and Other Special Purpose Recreational Institutions	5200	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> <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 section 35.2-71.7)	P
tent revival meetings/transient amusements	9921	Includes temporary carnivals and circuses sponsored by non-profit organizations (see section 35.2-72.23)	P
temporary outdoor promotional attractions	9922	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)	P
traditional neighborhood development	9952	See section 35.2-82	C
large scale retail establishments	9954	See section 35.2-84	P
cluster commercial development	9955	See section 35.2-85	C
flex space development	9956	See section 35.2-86	C
corporate campus	9957	See section 35.2-87	C
Billboards - only existing billboards allowed per section 35.2-64.16	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
single-household detached	1111S	Typical single-household dwelling	P
modular home	1114S	A prefabricated home without axles or frames (see definitions)	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
manufactured home community	1116S	Includes manufactured home subdivision and manufactured home parks with 5 or more lots or sites (see definitions)	C
Two-household (duplex)	1121S	A building located on one (1) zoning lot containing not more than two (2) dwelling units	P
single-household semi-detached	1122S	One of two dwellings separated by a party wall,	P

Land Use	LBCS #	Description	Approval Type
		on abutting lots	
single-household attached (townhouse)	1140S	Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered	P
Multi-household structures	1200S	Includes triplexes, four-plexes, and other multi-household dwellings	P
Mixed-use residential structures	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	P
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)	P

Land Use	LBCS #	Description	Approval Type
		consecutive days. (See Section 35.2-71.16)	
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
gasoline service	2116	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	2117a	Oil change, light auto repair and car wash. May include gasoline and other retail sales	P
heavy auto repair	2117b	Auto repair, paint and body shops. May include gasoline and other retail sales.	P
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances	2121-2125	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
lumber yard and building materials; heating and plumbing equipment; heavy equipment	2126-2128	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
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
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, 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)	
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: 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) 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

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.	
collection agency	2425	Collect payments, compile credit information, repossess tangible assets	P
Travel arrangement and reservation services	2430	Promote or sell travel, includes convention and visitors' bureaus	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
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

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

Land Use	LBCS #	Description	Approval Type
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
school and employee bus transportation	4135	Maintain and dispatch buses and other motor vehicles to transport pupils or employees	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 section 35.2-73 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.	
Public Utilities Service Minor	4315, 4329, 4339, 4349	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
power generation	4315		C
electric substations	4316		P
Water treatment plants and utility facilities	4331 - 4333,	Water treatment plants, pumping stations and lift stations	P
recycling collection centers	4349	Drop-off facilities for the collection of recycled goods	P
Theater, dance or music establishment	5110 & 5160	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
Motion picture viewing and exhibition services	5111	Operate movie theaters, drive-ins, film festival exhibitions (Note: drive-in theaters limited to B-5 district)	P
Promoter of sports, performing arts, similar events and management services	5140 - 5150	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	5170	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	C
Outdoor auditorium/arenas	5180	Outdoor arenas, stadiums and theaters	C
Museums and Other Special Purpose Recreational Institutions	5200	Public and private museums, historical sites, and similar establishments	P
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

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> <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.	
Vegetable farming or growing	9120	Includes private fields and community gardens	P
Commercial orchards	9130	Includes fruit and nut trees for commercial production	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 section 35.2-71.7)	P
tent revival meetings/transient amusements	9921	Includes temporary carnivals and circuses sponsored by non-profit organizations (see section 35.2-72.23)	P
temporary outdoor promotional attractions	9922	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)	P
traditional neighborhood	9952	See section 35.2-82	C

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

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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.**

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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
establishment		repair and maintenance														
car, motorcycle, manufactured homes or RV dealer	2111-2113	New or used automobiles, light trucks, motorcycles, RV's, manufactured homes, and buses									P		P			
bicycles	2113b	New or used bicycle sales, rental and repair						P	P	P	P		P			
boat or marine craft dealer	2114	New or used boats sales, rental and related repair services								P	P		P			
parts, accessories, or tires	2115	Automotive parts and supply stores, automotive stereo stores.							P	P	P		P			
gasoline service	2116	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
automotive repair and maintenance	2117	Repair garages, body and paint shops, oil change, car wash														
light auto repair (automobile service station)	2117a	Oil change, light auto repair and car wash. May include gasoline and other retail sales.							C	C	P		P		P	P
heavy auto repair	2117b	Auto repair, paint and body shops. May include gasoline and other retail sales.								C	P		P		P	P
truck stop	2118	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														
Heavy consumer goods sales or service	2120	Heavy or durable goods sales or services														
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances	2121-2125	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			
lumber yard and building materials; heating and plumbing equipment; heavy equipment	2126-2128	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
Durable consumer goods sales and service	2130	Wide range of product lines such as apparel, appliances, hardware, jewelry, etc.														
computer and software	2131	Computers and prepackaged software including repair, support, and training							P	P	P		P			
camera and photographic	2132-	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														
pawn shops	2222								P	P	P		P			
short-term loans	2223	Pay-day lenders and other businesses providing loans with terms of 45 days or less							P	P	P		P			
precious metal buyers	2224	Businesses providing cash for gold and other precious metals or gems (excludes retail jewelers)							P	P	P		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	P	P	P		P			
Real Estate, Rental and Leasing	2300	Rent, lease or occasionally sell assets														
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	P	P	P		P			
Property management services	2320	Manage real property for others									P		P			
Rental and leasing	2330	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														
vehicles	2331 & 2332	Lease passenger cars, trucks, trailers, RVs, buses and aircraft; drivers not provided							C		P		P			
recreational goods rental	2333	Rent skis, canoes, bicycles, sailboats, motorcycles								P	P		P			
commercial, industrial or consumer machinery and equipment rental	2334 - 2335	Rent or lease: 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) b) personal and household-type goods and a range of equipment geared toward consumers									P		P		P	P
heavy equipment rental	2337	Includes construction vehicles with gross weights exceeding 26,000 pounds and agricultural vehicles													P	P
Business, Professional, Scientific, and Technical	2400	Perform professional, scientific, and technical services														
Professional services	2410	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														
Pet or pet supply store	2710	Retail pets, pet foods, pet supplies							P	P	P		P			
Animal and pet services and kennels	2720	Boarding, grooming, sitting, and training (except veterinary and horse boarding)														
animal services	2721	grooming and training							P	P	P		P			
animal boarding	2722	sitting and boarding							C		P		P			
pet cemetery	2723			C	C	C	C	C	P		P		P			
MANUFACTURING AND WHOLESALE TRADE	3000	When captive services such as accounting are provide by a separate establishment, they are classified in the appropriate function code and not in manufacturing														
Foods, Textiles, and Related Products	3100	Produce food, tobacco, textiles, and leather														
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	P		P		P	P
Tobacco manufacturing	3120														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
Chemicals, plastic and rubber products; non-metallic mineral products, primary metal manufacturing; transportation equipment manufacture	3320 - 3340 & 3370	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
Machinery , electrical equipment, appliance, and components manufacturing	3350 & 3360	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
Transportation equipment and automobiles	3370	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
Miscellaneous Manufacturing	3400	Use for manufacturing establishments not classified elsewhere														
Jewelry and silverware, sporting goods, toys, games and office	3410-3430	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														
TRANSPORTATION, COMMUNICATION, INFORMATION, AND UTILITIES	4000															
Transportation Services	4100	Serve passengers and cargo movements														
Air transportation	4110	Provide transportation for passengers or cargo using aircraft (see section 35.2-72.10 for rules related to heliports and helipads)												C	P	P
Rail transportation	4120	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														
rail passenger transportation	4121	Passenger stations only								P	P		P	P	P	P
rail freight transportation	4122	Rail yards for freight systems; excludes accessory sidings allowed within the I-2 and I-3 districts														
rail transportation support establishment	4123	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														
national post office	4181							P	P	P	P		P			
retail courier and package delivery	4182	Retail courier, package drop-off and mail services						P	P	P	P		P		P	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		P		P	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		P	P	P	P
Motion pictures and sound recording	4220	Produce and distribute motion pictures and sound recordings (includes indoor movie but excludes drive-in movie theaters)							P	P	P		P	P	P	P
Telecommunications and broadcasting	4230	Provide point-to-point communications; if multiple services are shared between the same facilities,														
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	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 section 35.2-73 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, 4329, 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, 4329, 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
RECREATION																
Performing Arts or Supporting Establishments	5100	Produce or organize and promote live presentations, excludes nightclubs														
Theater, dance or music establishment	5110 & 5160	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			
Motion picture viewing and exhibition services	5111	Operate movie theaters (excluding drive-ins), film festival exhibitions							P	P	P		P			
Promoter of sports, performing arts, similar events and management services	5140 - 5150	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers						P	P	P	P		P	P	P	
Indoor auditorium or arena	5170	Indoor auditoriums, arenas, conference centers, or multipurpose facilities							C	C	C		C	C	C	C
Outdoor auditorium/arenas	5180	Outdoor arenas and theaters								C	C		C	C	C	C
Museums and Other Special Purpose Recreational Institutions	5200	Public and private museums, historical sites, and similar establishments	C	C	C	P	P	P	P	P	P		P			
Amusement, Sports, or Recreation Establishment	5300	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
FISHING, AND HUNTING		and harvest fish and other animals, may be described as farms, greenhouses, nurseries, or hatcheries														
Crop Production	9100															
Vegetable farming or growing	9120	Includes private fields and community gardens	P	P	P	P	P	P	P	P	P	P	P			
Commercial orchards	9130	Includes fruit and nut trees for commercial production	P	P	P	P	P	P	P		P	P	P			
Greenhouse Production	9140															
Greenhouse - no on-premises sales	9141	Commercial greenhouse production	P	P	P	P	P		P	P	P		P		P	P
Greenhouse - sales of products grown on premises	9142		P						P	P	P		P		P	P
Greenhouse - sales of products and related accessory products	9143								P	P	P		P		P	P
Animal Production	9300	Keep, graze, breed or feed animals (see district standards)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Unclassifiable or No Function	9900	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 section 35.2-72.23)		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 section 35.2-72.23)							P	P	P		P			
Land Use Development Patterns	9950															
residential cluster development	9951	See section 35.2-80		P	P	P	P									
traditional neighborhood development	9952	See section 35.2-82		C	C	C	C	C	C	C	C		C			
planned unit development	9953	See section 35.2-83		C	C	C	C									
large scale retail establishments	9954	See section 35.2-84							P	P	P		P			
cluster commercial development	9955	See section 35.2-85						C	C	C	C		C			
flex space development	9956	See section 35.2-86									C		C	P	P	
corporate campus	9957	See section 35.2-87									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
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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
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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]

AGENDA ITEM SUMMARY**MEETING DATE**

February 12, 2026

PRESENTED BY

Daniel Pense, Registrar

AGENDA ITEM # I.3

Consideration of adopting Ordinance #O-26-014 changing the polling place for the First Precinct of the Fourth Ward in the City from the St. Thomas More Catholic Church to the All Peoples Church.

RECOMMENDATION

Approve a change to the polling place in the Fourth Ward, First Precinct of the City.

SUMMARY

The General Registrar has been notified that St. Thomas More Catholic Church, the polling place for the First Precinct of the Fourth Ward in the City, will no longer be able to serve as a polling location. The Registrar has met with representatives of All Peoples Church and the Electoral Board has authorized this location as a replacement polling place for the upcoming elections.

PRIOR ACTION(S)

City Council's Adoption of its Redistricting Ordinance - July 26, 2022

FISCAL IMPACT

TBD by General Registrar/Electoral Board

CONTACT(S)

Daniel Pense, Registrar
Matthew Freedman, City Attorney

ATTACHMENT(S)

1. #O-26-014
2. Proposed Ordinance - Ward 4 Precinct 1 Polling Place Change
3. Public Hearing on Relocation of polling place 401 (2-12-2026) presentation
4. GIS Map - Ward 4, Precinct 1
5. Redistricting Ordinance - July 26, 2022

REVIEWED BY

Alicia L. Finney

Alicia Finney-Andrews, Clerk of Council

Date: January 22, 2026

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY AMENDING SECTION 14-35 OF ARTICLE III OF CHAPTER 14; SUCH AMENDMENT BEING TO CHANGE AND RELOCATE THE POLLING PLACE OF THE FIRST PRECINCT OF THE CITY'S FOURTH WARD

WHEREAS, on January 8, 2026, during a duly called meeting, the Electoral Board of the City of Lynchburg, Virginia formally requested the polling place of the First Precinct of the City's Fourth Ward be changed and relocated from the St. Thomas More Catholic Church, 3015 Roundelay Road, to the All Peoples Church, 727 Old Graves Mill Road; and

WHEREAS, prior to the adoption of this Ordinance, a public hearing was duly held before the Lynchburg City Council, in order to receive public input on the proposed change and relocation of the polling place previously described.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by amending Section 14-35 of Article III of Chapter 14 as follows:

Sec. 14-35. Fourth ward.

The fourth ward shall be divided into four election precincts, the boundaries of which shall be as follows:

(1) *First precinct.* All that portion of the fourth ward beginning at a point, said point being the intersection of the City of Lynchburg Corporate Limit and the centerline of Graves Mill Road; thence proceeding in an easterly direction along the centerline of Graves Mill Road to its point of intersection with the centerline of McConville Road; thence proceeding in a northerly direction along the centerline of McConville Road to its point of intersection with the centerline of Tomahawk Creek; thence proceeding in an easterly direction along the centerline of Tomahawk Creek as it meanders to its point of intersection with the centerline of Burton Creek; thence proceeding in a southerly direction along the centerline of Burton Creek as it meanders to its point of intersection with the centerline of the westbound lane of Timberlake Road; thence proceeding in a southwesterly direction along the centerline of the westbound lane of Timberlake Road to its point of intersection with the City of Lynchburg Corporate Limit; thence proceeding in a westerly direction along said corporate limit to the point of beginning. The voting place in said first precinct of the fourth ward shall be located at the ~~St. Thomas More Catholic Church, 3015 Roundelay Road~~ All Peoples Church, 727 Old Graves Mill Road.

(2) *Second precinct.* All that portion of the fourth ward beginning at a point, said point being the intersection of the centerline of Tomahawk Creek, the centerline of Burton Creek, and the centerline of Blackwater Creek; thence proceeding in an easterly direction along the meandering of the centerline of Blackwater Creek to its point of intersection with the centerline of a Blackwater Creek tributary; thence proceeding in a southeasterly direction along the meandering of the centerline of such tributary to its point of intersection with the centerline of Heath Avenue extended; thence proceeding in a southerly direction more or less 234 feet along the centerline of Heath Avenue extended to the terminus of the centerline of Heath Avenue; thence proceeding

in a southerly direction along the centerline of Heath Avenue to its point of intersection with the centerline of Fort Avenue; thence proceeding in a southwesterly direction along the centerline of Fort Avenue to its point of intersection with the centerline of Burton Creek; thence proceeding in a northerly direction along the centerline of Burton Creek as it meanders to the point of beginning. The voting place in said second precinct of the fourth ward shall be located at the Sandusky Middle School, 805 Chinook Place.

(3) *Third precinct.* All the portion of the fourth ward lying at a point, said point being the intersection of the centerline of Wyndale Drive and the centerline of Fleetwood Drive; thence proceeding in a southeasterly direction along the centerline of Fleetwood Drive to its terminus; thence proceeding in a southerly direction more or less 395 feet along the centerline of Fleetwood Drive extended to its point of intersection with the centerline of Blackwater Creek; thence proceeding in a northeasterly direction along the centerline of Blackwater Creek as it meanders to its point of intersection with the centerline of a Blackwater Creek tributary; thence proceeding in a southeasterly direction along the centerline of such tributary as it meanders to its point of intersection with the centerline of Heath Avenue extended; thence proceeding in a southerly direction more or less 234 feet along the centerline of Heath Avenue extended to the terminus of the centerline of Heath Avenue; thence proceeding in a southerly direction along the centerline of Heath Avenue to its point of intersection with the centerline of Fort Avenue; thence proceeding in a northeasterly direction along the centerline of Fort Avenue to its point of intersection with the centerline of Oakridge Boulevard; thence proceeding in a westerly direction along the centerline of Oakridge Boulevard to its point of intersection with the centerline of Sussex Street; thence proceeding in a northeasterly direction along the centerline of Sussex Street to its point of intersection with the centerline of Richmond Street; thence proceeding in a northeasterly direction along the centerline of Richmond Street to its point of intersection with the centerline of Oakley Avenue; thence proceeding in a northwesterly direction along the centerline of Oakley Avenue to its point of intersection with the centerline of Lakeside Drive; thence proceeding in a southwesterly direction along the centerline of Lakeside Drive to its point of intersection with the centerline of Wyndale Drive; thence proceeding in a southwesterly direction along the centerline of Wyndale Drive to the point of beginning. The voting place in said third precinct of the fourth ward shall be located at the Perrymont Fellowship Hall, 114 Perrymont Avenue.

(4) *Fourth precinct.* All that portion of the fourth ward beginning at a point, said point being the intersection of the centerline of Rivermont Avenue and the centerline of Rivermont Terrace; thence proceeding in a southerly direction along the centerline of Rivermont Terrace to its point of intersection with the centerline of Langhorne Road; thence proceeding in a southerly direction along the centerline of Langhorne Road to its point of intersection with the centerline of Landon Street; thence proceeding in a westerly direction along the centerline of Landon Street to its point of intersection with Club Drive; thence proceeding in a southwesterly direction along the centerline of Club Drive to its terminus; thence proceeding in a southwesterly direction more or less 93 feet along the centerline of Club Drive extended to its point of intersection with the centerline of Ivy Creek; thence proceeding in a southeasterly direction along the centerline of Ivy Creek as it meanders to its point of intersection with the centerline of the abandoned Norfolk Southern Railroad; thence proceeding in a northeasterly direction along the centerline of the abandoned Norfolk Southern Railroad to its point of intersection with the centerline of Langhorne Road; thence proceeding in a southerly direction along the centerline of Langhorne Road to its point of intersection with the centerline of Blackwater Creek; thence proceeding in a southerly direction along the meandering of the centerline of Blackwater Creek to its point of intersection with the centerline of Old Forest Road; thence proceeding in a southeasterly direction along the centerline of Old Forest Road to its point of intersection with Lakeside Drive; thence proceeding in a southwesterly direction along the centerline of Lakeside Drive to its point of intersection with the

centerline of Forest Brook Road; thence proceeding in a northerly direction along the centerline of Forest Brook Road to its point of intersection with the centerline of Old Forest Road; thence proceeding in a northeasterly direction along the centerline of Old Forest Road to its point of intersection with the centerline of Devonshire Road; thence proceeding in a northwesterly direction along the centerline of Devonshire Road to its point of intersection with the centerline of Kettering Lane; thence proceeding in a northwesterly direction more or less 1,815 feet along the centerline of Devonshire Road extended to its point of intersection with the centerline of an Ivy Creek tributary; thence proceeding in a northwesterly direction along the centerline of such tributary as it meanders to its point of intersection with the centerline of Ivy Creek; thence proceeding in a northeasterly direction along the centerline of Ivy Creek as it meanders to its point of intersection with the centerline of Link Road; thence proceeding in a northeasterly direction along the centerline of Link Road to its point of intersection with the centerline of Rivermont Avenue; thence proceeding in an easterly direction along the centerline of Rivermont Avenue to the point of beginning. The voting place in said fourth precinct of the fourth ward shall be located at the Linkhorne Middle School, 2525 Linkhorne Drive.

2. That a Geographic Information System (GIS) map of the above described amendment, entitled "Ward 4 Precinct 1 - Proposed Polling Location Change", dated 01/08/2026, is explicitly incorporated herein by reference for illustrative and reference purposes only. Such map is not intended to be relied upon as a precise representation, but rather an approximate representation. In the event of a conflict between the said Geographic Information System (GIS) map and this Ordinance, then this Ordinance shall control.

3. That the Clerk of Council shall send a certified copy of this Ordinance and a copy of the previously described said Geographic Information System (GIS) map to the City's General Registrar, the City's Electoral Board, the Secretary of the Commonwealth of Virginia, the Virginia Department of Elections, and the Virginia Division of Legislative Services.

4. That this Ordinance shall be effective upon adoption, but will not be implemented until a certification of no objection has been issued by the Attorney General of Virginia, or his designee, and any, if any, other applicable requirements of the Commonwealth of Virginia have been duly satisfied relating to the aforesaid amendment. However, irrespective the foregoing, subject to the applicable requirements of the Code of Virginia and the applicable approval(s) of the Virginia Department of Elections/Virginia State Board of Elections, the previously described polling place adopted by this Ordinance may be utilized as an emergency polling place should the need arise.

Adopted: February 12, 2026

Certified: Alicia L. Frimoz
Clerk of Council

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY AMENDING SECTION 14-35 OF ARTICLE III OF CHAPTER 14; SUCH AMENDMENT BEING TO CHANGE AND RELOCATE THE POLLING PLACE OF THE FIRST PRECINCT OF THE CITY'S FOURTH WARD

ORDINANCE:

#O-26-__

WHEREAS, on January 8, 2026, during a duly called meeting, the Electoral Board of the City of Lynchburg, Virginia formally requested the polling place of the First Precinct of the City's Fourth Ward be changed and relocated from the St. Thomas More Catholic Church, 3015 Roundelay Road, to the All Peoples Church, 727 Old Graves Mill Road; and

WHEREAS, prior to the adoption of this Ordinance, a public hearing was duly held before the Lynchburg City Council, in order to receive public input on the proposed change and relocation of the polling place previously described.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by amending Section 14-35 of Article III of Chapter 14 as follows:

Sec. 14-35. Fourth ward.

The fourth ward shall be divided into four election precincts, the boundaries of which shall be as follows:

(1) *First precinct.* All that portion of the fourth ward beginning at a point, said point being the intersection of the City of Lynchburg Corporate Limit and the centerline of Graves Mill Road; thence proceeding in an easterly direction along the centerline of Graves Mill Road to its point of intersection with the centerline of McConville Road; thence proceeding in a northerly direction along the centerline of McConville Road to its point of intersection with the centerline of Tomahawk Creek; thence proceeding in an easterly direction along the centerline of Tomahawk Creek as it meanders to its point of intersection with the centerline of Burton Creek; thence proceeding in a southerly direction along the centerline of Burton Creek as it meanders to its point of intersection with the centerline of the westbound lane of Timberlake Road; thence proceeding in a southwesterly direction along the centerline of the westbound lane of Timberlake Road to its point of intersection with the City of Lynchburg Corporate Limit; thence proceeding in a westerly direction along said corporate limit to the point of beginning. The voting place in said first precinct of the fourth ward shall be located at the St. Thomas More Catholic Church, 3015 Roundelay Road All Peoples Church, 727 Old Graves Mill Road.

(2) *Second precinct.* All that portion of the fourth ward beginning at a point, said point being the intersection of the centerline of Tomahawk Creek, the centerline of Burton Creek, and the centerline of Blackwater Creek; thence proceeding in an easterly direction along the meandering of the centerline of Blackwater Creek to its point of intersection with the centerline of a Blackwater Creek tributary; thence proceeding in a southeasterly direction along the meandering of the centerline of such tributary to its point of intersection with the centerline of Heath Avenue extended; thence proceeding in a southerly direction more or less 234 feet along the centerline of Heath Avenue extended to the terminus of the centerline of Heath Avenue; thence proceeding in a southerly direction along the centerline of Heath Avenue to its point of intersection with the

centerline of Fort Avenue; thence proceeding in a southwesterly direction along the centerline of Fort Avenue to its point of intersection with the centerline of Burton Creek; thence proceeding in a northerly direction along the centerline of Burton Creek as it meanders to the point of beginning. The voting place in said second precinct of the fourth ward shall be located at the Sandusky Middle School, 805 Chinook Place.

(3) *Third precinct.* All the portion of the fourth ward lying at a point, said point being the intersection of the centerline of Wyndale Drive and the centerline of Fleetwood Drive; thence proceeding in a southeasterly direction along the centerline of Fleetwood Drive to its terminus; thence proceeding in a southerly direction more or less 395 feet along the centerline of Fleetwood Drive extended to its point of intersection with the centerline of Blackwater Creek; thence proceeding in a northeasterly direction along the centerline of Blackwater Creek as it meanders to its point of intersection with the centerline of a Blackwater Creek tributary; thence proceeding in a southeasterly direction along the centerline of such tributary as it meanders to its point of intersection with the centerline of Heath Avenue extended; thence proceeding in a southerly direction more or less 234 feet along the centerline of Heath Avenue extended to the terminus of the centerline of Heath Avenue; thence proceeding in a southerly direction along the centerline of Heath Avenue to its point of intersection with the centerline of Fort Avenue; thence proceeding in a northeasterly direction along the centerline of Fort Avenue to its point of intersection with the centerline of Oakridge Boulevard; thence proceeding in a westerly direction along the centerline of Oakridge Boulevard to its point of intersection with the centerline of Sussex Street; thence proceeding in a northeasterly direction along the centerline of Sussex Street to its point of intersection with the centerline of Richmond Street; thence proceeding in a northeasterly direction along the centerline of Richmond Street to its point of intersection with the centerline of Oakley Avenue; thence proceeding in a northwesterly direction along the centerline of Oakley Avenue to its point of intersection with the centerline of Lakeside Drive; thence proceeding in a southwesterly direction along the centerline of Lakeside Drive to its point of intersection with the centerline of Wyndale Drive; thence proceeding in a southwesterly direction along the centerline of Wyndale Drive to the point of beginning. The voting place in said third precinct of the fourth ward shall be located at the Perrymont Fellowship Hall, 114 Perrymont Avenue.

(4) *Fourth precinct.* All that portion of the fourth ward beginning at a point, said point being the intersection of the centerline of Rivermont Avenue and the centerline of Rivermont Terrace; thence proceeding in a southerly direction along the centerline of Rivermont Terrace to its point of intersection with the centerline of Langhorne Road; thence proceeding in a southerly direction along the centerline of Langhorne Road to its point of intersection with the centerline of Landon Street; thence proceeding in a westerly direction along the centerline of Landon Street to its point of intersection with Club Drive; thence proceeding in a southwesterly direction along the centerline of Club Drive to its terminus; thence proceeding in a southwesterly direction more or less 93 feet along the centerline of Club Drive extended to its point of intersection with the centerline of Ivy Creek; thence proceeding in a southeasterly direction along the centerline of Ivy Creek as it meanders to its point of intersection with the centerline of the abandoned Norfolk Southern Railroad; thence proceeding in a northeasterly direction along the centerline of the abandoned Norfolk Southern Railroad to its point of intersection with the centerline of Langhorne Road; thence proceeding in a southerly direction along the centerline of Langhorne Road to its point of intersection with the centerline of Blackwater Creek; thence proceeding in a southerly direction along the meandering of the centerline of Blackwater Creek to its point of intersection with the centerline of Old Forest Road; thence proceeding in a southeasterly direction along the centerline of Old Forest Road to its point of intersection with Lakeside Drive; thence proceeding in a southwesterly direction along the centerline of Lakeside Drive to its point of intersection with the centerline of Forest Brook Road; thence proceeding in a northerly direction along the centerline

of Forest Brook Road to its point of intersection with the centerline of Old Forest Road; thence proceeding in a northeasterly direction along the centerline of Old Forest Road to its point of intersection with the centerline of Devonshire Road; thence proceeding in a northwesterly direction along the centerline of Devonshire Road to its point of intersection with the centerline of Kettering Lane; thence proceeding in a northwesterly direction more or less 1,815 feet along the centerline of Devonshire Road extended to its point of intersection with the centerline of an Ivy Creek tributary; thence proceeding in a northwesterly direction along the centerline of such tributary as it meanders to its point of intersection with the centerline of Ivy Creek; thence proceeding in a northeasterly direction along the centerline of Ivy Creek as it meanders to its point of intersection with the centerline of Link Road; thence proceeding in a northeasterly direction along the centerline of Link Road to its point of intersection with the centerline of Rivermont Avenue; thence proceeding in an easterly direction along the centerline of Rivermont Avenue to the point of beginning. The voting place in said fourth precinct of the fourth ward shall be located at the Linkhorne Middle School, 2525 Linkhorne Drive.

2. That a Geographic Information System (GIS) map of the above described amendment, entitled "Ward 4 Precinct 1 - Proposed Polling Location Change", dated 01/08/2026, is explicitly incorporated herein by reference for illustrative and reference purposes only. Such map is not intended to be relied upon as a precise representation, but rather an approximate representation. In the event of a conflict between the said Geographic Information System (GIS) map and this Ordinance, then this Ordinance shall control.

3. That the Clerk of Council shall send a certified copy of this Ordinance and a copy of the previously described said Geographic Information System (GIS) map to the City's General Registrar, the City's Electoral Board, the Secretary of the Commonwealth of Virginia, the Virginia Department of Elections, and the Virginia Division of Legislative Services.

4. That this Ordinance shall be effective upon adoption, but will not be implemented until a certification of no objection has been issued by the Attorney General of Virginia, or his designee, and any, if any, other applicable requirements of the Commonwealth of Virginia have been duly satisfied relating to the aforesaid amendment. However, irrespective the foregoing, subject to the applicable requirements of the Code of Virginia and the applicable approval(s) of the Virginia Department of Elections/Virginia State Board of Elections, the previously described polling place adopted by this Ordinance may be utilized as an emergency polling place should the need arise.

Adopted:

Certified:

Clerk of Council

RELOCATION OF POLLING PLACE - FOURTH WARD, FIRST PRECINCT

February 12th 2026



PURPOSE & ACTION

Purpose:

The Electoral Board for the City of Lynchburg, Virginia (Electoral Board) voted at its meeting on January 8th, 2026, to change the polling place for precinct 401 from St. Thomas More Church to All People's Church. The new polling place meets the requirements of Section 24.2-310 of the Code of Virginia.

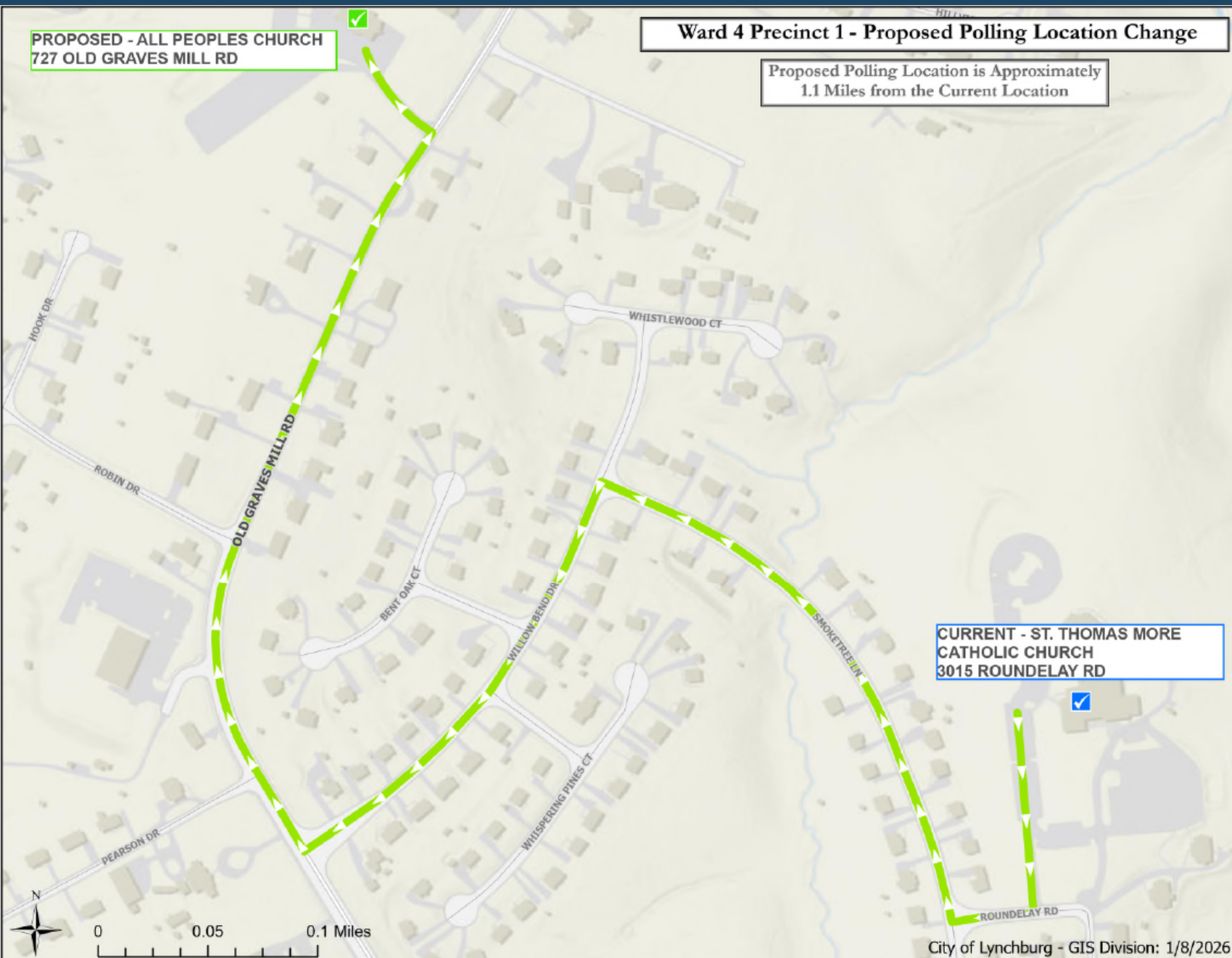
Why:

St. Thomas More Church has notified us that due to scheduling conflicts they will no longer be able to serve as a polling place. All People's Church has agreed to serve as a polling place, and is within the same polling precinct(401) in a similar neighborhood to St.Thomas More Church.

EXPECTED ACTION

Proposal:

The Electoral Board would like to make use of All People's Church for the First Precinct of the Fourth Ward for all subsequent elections impacting this district for the indefinite future.



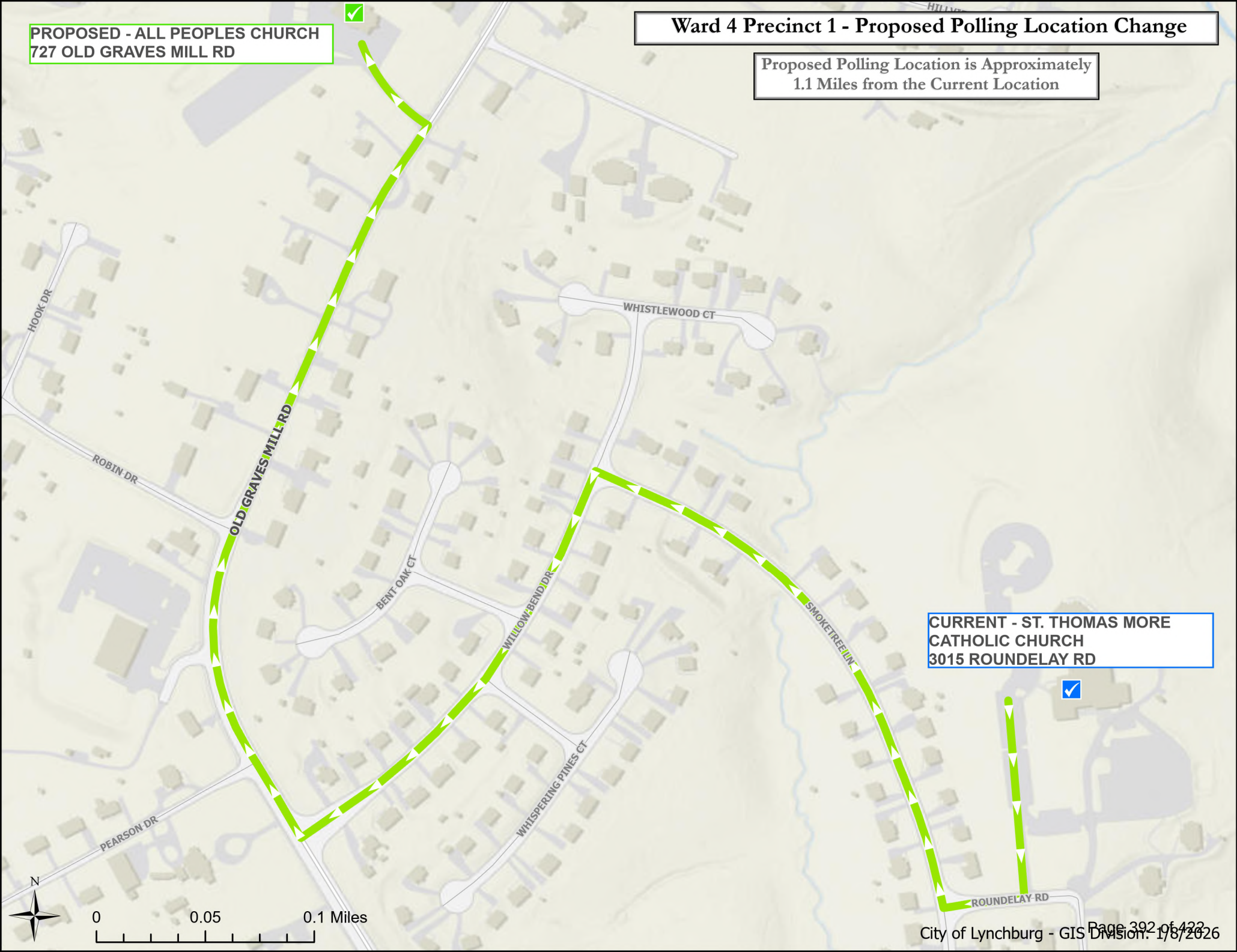
- Distance from old polling place to new polling place is 1.1 miles by roadway.
- New polling place is ADA compliant.
- The parking in the proposed location is similar to that of St. Thomas More and more than adequate for this precinct voting population.
- The location inside the facility assigned to polling activities is large enough to host a precinct of this size.

PROPOSED - ALL PEOPLES CHURCH
727 OLD GRAVES MILL RD

Ward 4 Precinct 1 - Proposed Polling Location Change

Proposed Polling Location is Approximately
1.1 Miles from the Current Location

CURRENT - ST. THOMAS MORE
CATHOLIC CHURCH
3015 ROUNDELAY RD





City Council

900 Church Street • Lynchburg • Virginia • 24504

P 434-455-3995 • F 434-847-1536

www.lynchburgva.gov

**AUTHENTICATION OF RECORDS PURSUANT TO § 8.01-390
OF THE CODE OF VIRGINIA OF 1950 AS AMENDED**

I, Alicia L. Finney, the Clerk of Council for the City of Lynchburg, a Virginia municipal corporation, on this 29th day of July, 2022, do hereby certify pursuant to § 8.01-390 of the Code of Virginia of 1950, as amended, that the documents attached hereto are true copies of records of the said City, and do further certify that I am the custodian of such records.

The records attached hereto are briefly described as follows:

**ORDINANCE #O-22-049 AMENDING AND REENACTING THE CODE OF
THE CITY OF LYNCHBURG, 1981, BY AMENDING SECTIONS 14-17, 14-
18, 14-19, AND 14-20 OF ARTICLE II OF CHAPTER 14, AND BY
AMENDING SECTIONS 14-32, 14-33, 14-34, AND 14-35 OF ARTICLE II OF
CHAPTER 14; THE AMENDMENTS BEING CHANGES TO THE CITY'S
ELECTION WARDS, ELECTIONS PRECINCTS, AND POLLING PLACES.**



Alicia L. Finney

CLERK OF COUNCIL
CITY OF LYNCHBURG, VIRGINIA

SCENARIO A

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY AMENDING SECTIONS 14-17, 14-18, 14-19, AND 14-20 OF ARTICLE II OF CHAPTER 14, AND BY AMENDING SECTIONS 14-32, 14-33, 14-34, AND 14-35 OF ARTICLE III OF CHAPTER 14; THE AMENDMENTS BEING CHANGES TO THE CITY'S ELECTION WARDS, ELECTION PRECINCTS, AND POLLING PLACES

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

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by amending Section 14-17 of Article II of Chapter 14 as follows:

Sec. 14-17. First ward.

The first ward of the city shall include all that portion of the city bounded as follows:

~~Beginning at a point of the intersection of the centerline of Graves Mill Road and the 1976 Corporate Limits Line, said point being the southwestern most point in the First Ward; and running in a northerly direction following the city's corporate limits to the point where the city's corporate limits and the Norfolk Southern Railroad intersect; thence proceeding in a southerly direction following the centerline of the Norfolk Southern Railroad to the point that the centerline of the Norfolk Southern Railroad and the centerline of the Blackwater Creek Bikeway intersect; thence proceeding in a westerly direction following the centerline of the Blackwater Creek Bikeway to the point that the centerline of the Blackwater Creek Bikeway and the centerline of the Norfolk Southern Railroad meet; thence proceeding in a westerly direction following the centerline of the Norfolk Southern Railroad to the point that the centerline of the Norfolk Southern Railroad and the centerline of Ivy Creek intersect; thence proceeding in a northerly direction following the meandering of the centerline of Ivy Creek to the point that an extension of the centerline of Club Drive and the centerline of Ivy Creek intersect; thence proceeding in a northeasterly direction following the centerline of Club Drive to the point that the centerline of Club Drive and the centerline of Landon Street meet; thence proceeding in a northeasterly direction following the centerline of Landon Street to the point that the centerline of Landon Street and the centerline of Langhorne Road intersect; thence proceeding in a northerly direction following the centerline of Langhorne Road to the point that the centerline of Langhorne Road and the centerline of Rivermont Terrace meet; thence proceeding in a northerly direction following the centerline of Rivermont Terrace to the point that the centerline of Rivermont Terrace and the centerline of Rivermont Avenue intersect; thence proceeding in a westerly direction following the centerline of Rivermont Avenue to the point that the centerline of Rivermont Avenue and the centerline of Link Road intersect; thence proceeding in a southwesterly direction following the centerline of Link Road to the point that the centerline of Link Road and the centerline of Ivy Creek intersect; thence proceeding in a southwesterly direction following the meandering of the centerline of Ivy Creek to the point that the centerline of an unnamed branch of Ivy Creek intersect; thence proceeding in a southeasterly direction following the meandering of the creek to the point that the centerline of the unnamed branch of Ivy Creek and the centerline of a westerly extension of Devonshire Road intersect; thence proceeding in a southerly direction following the centerline of Devonshire Road to the point that the centerline of Devonshire Road and the centerline of Old Forest Road intersect; thence proceeding in a southwesterly direction following the centerline of Old Forest Road to the point that the centerline of Old Forest Road and the centerline of Forest Brook Road intersect; thence proceeding in a southerly direction following the centerline of Forest Brook Road to the~~

~~point that the centerline of Forest Brook Road and the centerline of Lakeside Drive intersect; thence proceeding in a westerly direction following the centerline of Lakeside Drive to the point that the centerline of Lakeside Drive and the centerline of Wyndale Drive intersect; thence proceeding in a southwesterly direction following the centerline of Wyndale Drive to the point that the centerline of Wyndale Drive and the centerline of Fleetwood Drive intersect; thence proceeding in a southeasterly direction following the centerline of Fleetwood Drive to the point that an extension of the centerline of Fleetwood Drive and the centerline of Blackwater Creek intersect; thence proceeding in a westerly direction following the meandering of the centerline of Blackwater Creek to the point of confluence between Blackwater Creek and Tomahawk Creek; thence proceeding in a westerly direction following the meandering of the centerline of Tomahawk Creek to the point that the centerline of Tomahawk Creek and the centerline of McConville Road intersect; thence proceeding in a southeasterly direction following the centerline of McConville Road to the point that the centerline of McConville Road and the centerline of Graves Mill Road intersect; thence proceeding in a westerly direction following the centerline of Graves Mill Road to the point that the centerline of Graves Mill Road and the 1976 Corporate Limits intersect, said point being the beginning and ending point of the First Ward.~~

Beginning at a point of the intersection of the centerline of Graves Mill Road and the City of Lynchburg Corporate Limit, said point being the southwestern most point in the First Ward; thence proceeding in a northerly direction following the City of Lynchburg Corporate Limit to the point that said corporate limit and the Norfolk Southern Railroad intersect; thence proceeding in a southerly direction following the centerline of the Norfolk Southern Railroad to the point that the centerline of the Norfolk Southern Railroad and the centerline of the Blackwater Creek Bikeway intersect; thence proceeding in a westerly direction following the centerline of the Blackwater Creek Bikeway to the point that the centerline of the Blackwater Creek Bikeway and the centerline of the Norfolk Southern Railroad meet; thence proceeding in a westerly direction following the centerline of the Norfolk Southern Railroad to the point that the centerline of the Norfolk Southern Railroad and the centerline of Ivy Creek intersect; thence proceeding in a northerly direction following the meandering of the centerline of Ivy Creek to the point that an extension of the centerline of Club Drive and the centerline of Ivy Creek intersect; thence proceeding in a northeasterly direction following the centerline of Club Drive to the point that the centerline of Club Drive and the centerline of Landon Street meet; thence proceeding in a northeasterly direction following the centerline of Landon Street to the point that the centerline of Landon Street and the centerline of Langhorne Road intersect; thence proceeding in a northerly direction following the centerline of Langhorne Road to the point that the centerline of Langhorne Road and the centerline of Rivermont Terrace meet; thence proceeding in a northerly direction following the centerline of Rivermont Terrace to the point that the centerline of Rivermont Terrace and the centerline of Rivermont Avenue intersect; thence proceeding in a westerly direction following the centerline of Rivermont Avenue to the point that the centerline of Rivermont Avenue and the centerline of Link Road intersect; thence proceeding in a southwesterly direction following the centerline of Link Road to the point that the centerline of Link Road and the centerline of Ivy Creek intersect; thence proceeding in a southwesterly direction following the meandering of the centerline of Ivy Creek to the point that the centerline of Ivy Creek and the centerline of an unnamed branch of Ivy Creek intersect; thence proceeding in a southeasterly direction following the meandering of the centerline of the unnamed branch of Ivy Creek to the point that the centerline of the unnamed branch of Ivy Creek and the centerline of a westerly extension of Devonshire Road intersect; thence proceeding in a southerly direction following the centerline of Devonshire Road to the point that the centerline of Devonshire Road and the centerline of Old Forest Road intersect; thence proceeding in a southwesterly direction following the centerline of Old Forest Road to the point that the centerline of Old Forest Road and the centerline of Forest Brook Road intersect; thence

proceeding in a southerly direction following the centerline of Forest Brook Road to the point that the centerline of Forest Brook Road and the centerline of Lakeside Drive intersect; thence proceeding in a westerly direction following the centerline of Lakeside Drive to the point that the centerline of Lakeside Drive and the centerline of Wyndale Drive intersect; thence proceeding in a southwesterly direction following the centerline of Wyndale Drive to the point that the centerline of Wyndale Drive and the centerline of Fleetwood Drive intersect; thence proceeding in a southeasterly direction following the centerline of Fleetwood Drive to the point that an extension of the centerline of Fleetwood Drive and the centerline of Blackwater Creek intersect; thence proceeding in a westerly direction following the meandering of the centerline of Blackwater Creek to the point of confluence between Blackwater Creek and Tomahawk Creek; thence proceeding in a westerly direction following the meandering of the centerline of Tomahawk Creek to the point that the centerline of Tomahawk Creek and the centerline of McConville Road intersect; thence proceeding in a southeasterly direction following the centerline of McConville Road to the point that the centerline of McConville Road and the centerline of Graves Mill Road intersect; thence proceeding in a westerly direction following the centerline of Graves Mill Road to the point that the centerline of Graves Mill Road and the City of Lynchburg Corporate Limit intersect, said point being the beginning and ending point of the First Ward.

2. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by amending Section 14-18 of Article II of Chapter 14 as follows:

Sec. 14-18. Second ward.

The second ward of the city shall include all that portion of the city bounded as follows:

~~Beginning at the point of the intersection of the city's corporate limits and the centerline of the Norfolk Southern Railroad, said point being the northern most point in the second ward; thence proceeding in a southeasterly direction following the city's corporate limits to the point that the city's corporate limits and the centerline of Martin Street intersect; thence proceeding in a northwesterly direction following the centerline of Martin Street to the point that the centerline of Martin Street and the centerline of U.S. 460 Richmond Highway intersect; thence proceeding in an easterly direction following the centerline of U.S. 460 Richmond Highway to the point that the centerline of the US460 Richmond Highway and the centerline of Campbell Avenue intersect; thence proceeding in a northwesterly direction following the centerline of Campbell Avenue to the point that the centerline of Campbell Avenue and the centerline of Florida Avenue intersect; thence proceeding in a northerly direction following the centerline of Florida Avenue to the point that the centerline of Florida Avenue and the centerline of the Norfolk and Southern Railroad intersect; thence proceeding in a westerly direction following the centerline of the Norfolk and Southern Railroad to the point that the centerline of the Norfolk and Southern Railroad and the centerline of the north/south line of the Norfolk and Southern Railroad intersect; thence proceeding in a northerly direction following the centerline of the Norfolk and Southern Railroad to the point that the centerline of the Norfolk Southern Railroad and the centerline of the Lynchburg Expressway intersect; thence proceeding in a westerly direction following the centerline of the Lynchburg Expressway to the point that the centerline of the Lynchburg Expressway and an extension of the centerline of Cliff Street intersect; thence proceeding in a northwesterly direction following the centerline of Cliff Street to the point that the centerline of Cliff Street and the centerline of Stephenson Avenue intersect; thence proceeding in a northerly direction following the centerline of Stephenson Avenue to the point that the centerline of Stephenson Avenue and the centerline of Twelfth Street intersect; thence proceeding in an easterly direction following the centerline of Twelfth Street to the point that the centerline of Twelfth Street and the centerline of Campbell Avenue intersect; thence proceeding in a~~

northwesterly direction following the centerline of Langhorne Road to the point that the centerline of Langhorne Road and the centerline of Memorial Avenue intersect; thence proceeding in a westerly direction following the centerline of Memorial Avenue to the point that the centerline of Memorial Avenue and the centerline of Lakeside Drive intersect; thence proceeding in a northwesterly direction following the centerline of Lakeside Drive to the point that the centerline of Lakeside Drive and an extension of the centerline of an unnamed branch of Blackwater Creek intersect, said point being in the vicinity of the intersection of the centerline of Lakeside Drive and the centerline of Alleghany Avenue; thence proceeding in a northerly direction following the meandering of the centerline of the unnamed branch of Blackwater Creek to the confluence of the unnamed branch of Blackwater Creek and Blackwater Creek; thence proceeding in a northerly direction following the meandering of the centerline of Blackwater Creek to the point that the centerline of Blackwater Creek and the centerline of Langhorne Road intersect; thence proceeding in northerly direction following the centerline of Langhorne Road to the point that the centerline of Langhorne Road and the centerline of the Norfolk Southern Railroad intersect; thence proceeding in an easterly direction following the centerline of the Norfolk and Southern Railroad to the point that the centerline of the Norfolk and Southern Railroad and the centerline of the Blackwater Creek Bikeway meet; thence proceeding in an easterly direction following the centerline of the Blackwater Creek Bikeway to the point that the centerline of the Blackwater Creek Bikeway and the centerline of the Norfolk Southern Railroad intersect; thence proceeding in a northerly direction following the centerline of the Norfolk and Southern Railroad to the point that the centerline of the Norfolk and Southern Railroad and the City's Corporate Limits intersect, said point being the beginning and ending point of the Second Ward.

Beginning at the point of the intersection of the City of Lynchburg Corporate Limit and the centerline of the Norfolk Southern Railroad, said point being the northern most point in the Second Ward; thence proceeding in a southeasterly direction along the City of Lynchburg Corporate Limit and following said corporate limit to the point that the City of Lynchburg Corporate Limit and the centerline of Martin Street intersect; thence proceeding in a northwesterly direction following the centerline of Martin Street to the point that the centerline of Martin Street and the centerline of U.S. 460 Richmond Highway intersect; thence proceeding in a westerly direction along the centerline of U.S. 460 Richmond Highway to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in a northwesterly direction along the centerline of the Norfolk Southern Railroad to its point of intersection with the centerline of Mayflower Drive; thence proceeding in a westerly direction along the centerline of Mayflower Drive to its point of intersection with the centerline of Perkins Street; thence proceeding in a southwesterly direction along the centerline of Perkins Street to its point of intersection with the centerline of Odd Fellows Road; thence proceeding in a northwesterly direction along the centerline of Odd Fellows Road to its point of intersection with the centerline of Albert Lankford Drive; thence proceeding along the centerline of Albert Lankford Drive to its point of intersection with the centerline of Carroll Avenue; thence proceeding in a northeasterly direction along the centerline of Carroll Avenue to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in a westerly direction along the centerline of the Norfolk Southern Railroad to its point of intersection with the centerline of the southbound lane of the Lynchburg Expressway; thence proceeding in a northeasterly direction along the centerline of the southbound lane of the Lynchburg Expressway to its point of intersection with the centerline of Stadium Road; thence proceeding in a northwesterly direction along the centerline of Stadium Road to its point of intersection with the centerline of Gordon Street; thence proceeding in a northwesterly direction along the centerline of Gordon Street to its point of intersection with the centerline of Rives Street; thence proceeding in a northeasterly direction along the centerline of Rives Street to its point of intersection with the centerline of Lancaster Street; thence proceeding in a northwesterly direction along the centerline of Lancaster Street to its point of

intersection with the centerline of Fort Avenue; thence proceeding in a southwesterly direction along the centerline of Fort Avenue to its point of intersection with the centerline of Oakley Avenue; thence proceeding in a northwesterly direction along the centerline of Oakley Avenue to its point of intersection with the centerline of Lakeside Drive; thence proceeding in a southwesterly direction along the centerline of Lakeside Drive to its point of intersection with the centerline of Old Forest Road; thence proceeding in a northwesterly direction along the centerline of Old Forest Road to its point of intersection with the centerline of Blackwater Creek; thence proceeding in a northeasterly direction along the centerline of Blackwater Creek as it meanders to its point of intersection with the centerline of Langhorne Road; thence proceeding in a northerly direction along the centerline of Langhorne Road to its point of intersection with the centerline of the abandoned Norfolk Southern Railroad; thence proceeding in a northeasterly direction along the centerline of the abandoned Norfolk Southern Railroad to its point of intersection with the centerline of the Blackwater Creek Bikeway; thence proceeding in a northeasterly direction along the centerline of the Blackwater Creek Bikeway to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in a northerly direction along the centerline of the Norfolk Southern Railroad to the point of beginning of the Second Ward.

3. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by amending Section 14-19 of Article II of Chapter 14 as follows:

Sec. 14-19. Third ward.

The third ward of the city shall include all that portion of the city bounded as follows:

~~Beginning at a point of the intersection of the centerline of Langhorne Road and the centerline of Memorial Avenue, said point being the northern most point in the Third Ward; and running in a southeasterly direction following the centerline of Langhorne Road to the point that the centerline of Langhorne Road and the centerline of Twelfth Street intersect; thence proceeding in a westerly direction following the centerline of Twelfth Street to the point that the centerline of Twelfth Street and the centerline of Stephenson Avenue intersect; thence proceeding in a southeasterly direction following the centerline of Stephenson Avenue to the point that the centerline of Stephenson Avenue and the centerline of Cliff Street intersect; thence proceeding in a southeasterly direction following the centerline of Cliff Street to the point that the centerline of Cliff Street and the centerline of the Lynchburg Expressway intersect; thence proceeding in an easterly direction following the centerline of the Lynchburg Expressway to the point that the centerline of the Lynchburg Expressway and the centerline of the north/south line of the Norfolk Southern Railroad intersect; thence proceeding in a southerly direction following the centerline of the north/south line of the Norfolk Southern Railroad to the point that the centerline of the north/south line of the Norfolk Southern Railroad and the centerline of the east/west line of the Norfolk Southern Railroad intersect; thence proceeding in an easterly direction following the centerline of the east/west line of the Norfolk Southern Railroad to the point that the centerline of the east/west line of the Norfolk Southern Railroad and the centerline of Florida Avenue intersect; thence proceeding in a southwesterly direction following the centerline of Florida Avenue to the point that the centerline of Florida Avenue and the centerline of Campbell Avenue intersect; thence proceeding in a southeasterly direction following the centerline of Campbell Avenue to the point that the centerline of Campbell Avenue and the centerline of US460 Richmond Highway intersect; thence proceeding in a westerly direction following the centerline of U.S. 460 Richmond Highway to the point that the centerline of U.S. 460 Richmond Highway and the centerline of Martin Street intersect; thence proceeding in a southeasterly direction following the centerline of Martin Street to the point that the centerline of Martin Street and the city's corporate limits intersect; thence proceeding in a westerly direction following the city's corporate limits to the point that the city's~~

~~corporate limits and the centerline of Timberlake Road intersect; thence proceeding in a northeasterly direction following the centerline of Timberlake Road to the point that the centerline of Timberlake Road and the centerline of Fort Avenue intersect; thence proceeding in a northeasterly direction following the centerline of Fort Avenue to the point that the centerline of Fort Avenue and the centerline of Oakridge Boulevard intersect; thence proceeding in a westerly direction following the centerline of Oakridge Boulevard to the point that the centerline of Oakridge Boulevard and the centerline of Sussex Street intersect; thence proceeding in a northeasterly direction following the centerline of Sussex Street to the point that the centerline of Sussex Street and the centerline of Richmond Street intersect; thence proceeding in a northeasterly direction following the centerline of Richmond Street to the point that the centerline of Richmond Street and the centerline of Rockbridge Avenue intersect; thence proceeding in a northwesterly direction following the centerline of Rockbridge Avenue to the point that the centerline of Rockbridge Avenue and the centerline of Lakeside Drive intersect; thence proceeding in an easterly direction following the centerline of Lakeside Drive to the point that the centerline of Lakeside Drive and the centerline of Memorial Avenue intersect; thence proceeding in a northeasterly direction following the centerline of Memorial Avenue to the point that the centerline of Memorial Avenue and the centerline of Langhorne Road intersect, said point being the beginning and ending point of the Third Ward.~~

Beginning at a point that the City of Lynchburg Corporate Limit and the centerline of Martin Street intersect, said point being the eastern most point of the Third Ward; thence proceeding in a northwesterly direction following the centerline of Martin Street to the point that the centerline of Martin Street and the centerline of U.S. 460 Richmond Highway intersect; thence proceeding in a westerly direction along the centerline of U.S. 460 Richmond Highway to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in a northwesterly direction along the centerline of the Norfolk Southern Railroad to its point of intersection with the centerline of Mayflower Drive; thence proceeding in a westerly direction along the centerline of Mayflower Drive to its point of intersection with the centerline of Perkins Street; thence proceeding in a southwesterly direction along the centerline of Perkins Street to its point of intersection with the centerline of Odd Fellows Road; thence proceeding in a northwesterly direction along the centerline of Odd Fellows Road to its point of intersection with the centerline of Albert Lankford Drive; thence proceeding along the centerline of Albert Lankford Drive in a northeasterly direction to its point of intersection with the centerline of Carroll Avenue; thence proceeding in a northeasterly direction along the centerline of Carroll Avenue to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in a westerly direction along the centerline of the Norfolk Southern Railroad to its point of intersection with the centerline of the southbound lane of the Lynchburg Expressway; thence proceeding in a northeasterly direction along the centerline of the southbound lane of the Lynchburg Expressway to its point of intersection with the centerline of Stadium Road; thence proceeding in a northwesterly direction along the centerline of Stadium Road to its point of intersection with the centerline of Gordon Street; thence proceeding in a northwesterly direction along the centerline of Gordon Street to its point of intersection with the centerline of Rives Street; thence proceeding in a northeasterly direction along the centerline of Rives Street to its point of intersection with the centerline of Lancaster Street; thence proceeding in a northwesterly direction along the centerline of Lancaster Street to its point of intersection with the centerline of Fort Avenue; thence proceeding in a southwesterly direction along the centerline of Fort Avenue to its point of intersection with the centerline of Oakley Avenue; thence proceeding in a northwesterly direction along the centerline of Oakley Avenue to its point of intersection with the centerline of Richmond Street; thence proceeding in a southwesterly direction along the centerline of Richmond Street to its point of intersection with the centerline of Sussex Street; thence proceeding in a southwesterly direction along the centerline of Sussex

Street to its point of intersection with the centerline of Oakridge Boulevard; thence proceeding in an easterly direction along the centerline of Oakridge Boulevard to its point of intersection with the centerline of Fort Avenue; thence proceeding in a southwesterly direction along the centerline of Fort Avenue to its point of intersection with the centerline of Timberlake Road; thence proceeding in a southwesterly direction along the centerline of Timberlake Road to its point of intersection with the City of Lynchburg Corporate Limit; thence proceeding in a southerly direction and following said corporate limit to the point of beginning of the Third Ward.

4. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by amending Section 14-20 of Article II of Chapter 14 as follows:

Sec. 14-20. Fourth ward.

The fourth ward of the city shall include all that portion of the city bounded as follows:

~~Beginning at the point of the intersection of the 1976 Corporate Limits and the centerline of Timberlake Road, said point being the southern most point in the Fourth Ward; and running in a westerly direction following the 1976 corporate limits line to the point that the 1976 corporate limits and the centerline of Graves Mill Road intersect; thence proceeding in an easterly direction following the centerline of Graves Mill Road to the point that the centerline of Graves Mill Road and the centerline of McConville Road intersect; thence proceeding in a northwesterly direction following the centerline of McConville Road to the point that the centerline of McConville Road and the centerline of Tomahawk Creek intersect; thence proceeding in an easterly direction following the meandering of the centerline of Tomahawk Creek to the point of confluence between Tomahawk Creek and Blackwater Creek; thence proceeding in an easterly direction following the meandering of the centerline of Blackwater Creek to the point that an extension of Fleetwood Drive and the centerline of Blackwater Creek intersect; thence proceeding in a northwesterly direction following the centerline of Fleetwood Drive to the point that the centerline of Fleetwood Drive and the centerline of Wyndale Drive intersect; thence proceeding in an easterly direction following the centerline of Wyndale Drive to the point that the centerline of Wyndale Drive and the centerline of Lakeside Drive intersect; thence proceeding in an easterly direction following the centerline of Lakeside Drive to the point that the centerline of Lakeside Drive and the centerline of Forest Brook Road intersect; thence proceeding in a northerly direction following the centerline of Forest Brook Road to the point that the centerline of Forest Brook Road and the centerline of Old Forest Road intersect; thence proceeding in a northeasterly direction following the centerline of Old Forest Road to the point that the centerline of Old Forest Road and the centerline of Devonshire Road intersect; thence proceeding in a northerly direction following the centerline of Devonshire Road to the point of that a westerly extension of Devonshire Road and the centerline of a unnamed branch of Ivy Creek intersect; thence proceeding in a northerly direction following the meandering of the creek to the point that the centerline of the unnamed branch of Ivy Creek and the centerline of Ivy Creek intersect; thence proceeding in an easterly direction following the meandering of the centerline of Ivy Creek to the point that the centerline of Ivy Creek and Link Road intersect; thence proceeding in a northeasterly direction following the centerline of Link Road to the point that the centerline of Link Road and the centerline of Rivermont Avenue intersect; thence proceeding in an easterly direction following the centerline of Rivermont Avenue to the point that the centerline of Rivermont Avenue and the centerline of Rivermont Terrace intersect; thence proceeding in a southerly direction following the centerline of Rivermont Terrace to the point that the centerline of Rivermont Terrace and the centerline of Langhorne Road intersect; thence proceeding in a southerly direction following the centerline of Langhorne Road to the point that the centerline of Langhorne Road and the centerline of Landon Street intersect; thence proceeding in a westerly direction following the centerline of Landon Street to the point that the centerline of Landon Street and the centerline of Club Drive intersect; thence proceeding~~

in a southwesterly direction following the centerline of Club Drive to the point that an extension of the centerline of Club Drive and the centerline of Ivy Creek intersect; thence proceeding in a southeasterly direction following the meandering of the centerline of Ivy Creek to the point that the centerline of Ivy Creek and the centerline of Langhorne Road intersect; thence proceeding in a southerly direction following the centerline of Langhorne Road to the point that the centerline of Langhorne Road and the centerline of Blackwater Creek intersect; thence proceeding in a southerly direction following the meandering of the centerline of Blackwater Creek to the point that the centerline of Blackwater Creek and the centerline of a unnamed branch of Blackwater Creek intersect; thence proceeding in a southeasterly direction following the meandering of the centerline of a unnamed branch of Blackwater Creek to the point that an extension of the unnamed Branch of Blackwater Creek and the centerline of Lakeside Drive intersect, said point being in the vicinity of the intersection of the centerline of Lakeside Drive and the centerline of Alleghany Avenue; thence proceeding in a southwesterly direction following the centerline of Lakeside Drive to the point that the centerline of Lakeside Drive and the centerline of Rockbridge Avenue intersect; thence proceeding in a southeasterly direction following the centerline of Rockbridge Avenue to the point that the centerline of Rockbridge Avenue and the centerline of Richmond Street intersect; thence proceeding in a southwesterly direction following the centerline of Richmond Street to the point that the centerline of Richmond Street and the centerline of Sussex Street intersect; thence proceeding in a southwesterly direction following the centerline of Sussex Street to the point that the centerline of Sussex Street and the centerline of Oakridge Boulevard intersect; thence proceeding in an easterly direction following the centerline of Oakridge Boulevard to the point that the centerline of Oakridge Boulevard and the centerline of Fort Avenue intersect; thence proceeding in a southwesterly direction following the centerline of Fort Avenue to the point that the centerline of Fort Avenue and the centerline of Timberlake Road intersect; thence proceeding in a southwesterly direction following the centerline of Timberlake Road to the point that the centerline of Timberlake Road and the 1976 Corporate Limits intersect, said point being the beginning and ending point of the Fourth Ward.

Beginning at the point of the intersection of the City of Lynchburg Corporate Limit and the centerline of Timberlake Road, said point being the southernmost point in the Fourth Ward; thence proceeding in a westerly direction following the City of Lynchburg Corporate Limit to the point that said corporate limit and the centerline of Graves Mill Road intersect; thence proceeding in an easterly direction following the centerline of Graves Mill Road to the point that the centerline of Graves Mill Road and the centerline of McConville Road intersect; thence proceeding in a northwesterly direction following the centerline of McConville Road to the point that the centerline of McConville Road and the centerline of Tomahawk Creek intersect; thence proceeding in an easterly direction following the meandering of the centerline of Tomahawk Creek to the point of confluence between Tomahawk Creek and Blackwater Creek; thence proceeding in an easterly direction following the meandering of the centerline of Blackwater Creek to the point that an extension of Fleetwood Drive and the centerline of Blackwater Creek intersect; thence proceeding in a northwesterly direction following the centerline of Fleetwood Drive to the point that the centerline of Fleetwood Drive and the centerline of Wyndale Drive intersect; thence proceeding in an easterly direction following the centerline of Wyndale Drive to the point that the centerline of Wyndale Drive and the centerline of Lakeside Drive intersect; thence proceeding in an easterly direction following the centerline of Lakeside Drive to the point that the centerline of Lakeside Drive and the centerline of Forest Brook Road intersect; thence proceeding in a northerly direction following the centerline of Forest Brook Road to the point that the centerline of Forest Brook Road and the centerline of Old Forest Road intersect; thence proceeding in a northeasterly direction following the centerline of Old Forest Road to the point that the centerline of Old Forest Road and the centerline of Devonshire Road intersect; thence proceeding in a northerly direction following the centerline of Devonshire Road to the point that

a westerly extension of Devonshire Road and the centerline of an unnamed branch of Ivy Creek intersect; thence proceeding in a northerly direction following the meandering of the centerline of the unnamed branch of Ivy Creek to the point that the centerline of the unnamed branch of Ivy Creek and the centerline of Ivy Creek intersect; thence proceeding in an easterly direction following the meandering of the centerline of Ivy Creek to the point that the centerline of Ivy Creek and the centerline of Link Road intersect; thence proceeding in a northeasterly direction following the centerline of Link Road to the point that the centerline of Link Road and the centerline of Rivermont Avenue intersect; thence proceeding in an easterly direction following the centerline of Rivermont Avenue to the point that the centerline of Rivermont Avenue and the centerline of Rivermont Terrace intersect; thence proceeding in a southerly direction following the centerline of Rivermont Terrace to the point that the centerline of Rivermont Terrace and the centerline of Langhorne Road intersect; thence proceeding in a southerly direction following the centerline of Langhorne Road to the point that the centerline of Langhorne Road and the centerline of Landon Street intersect; thence proceeding in a westerly direction following the centerline of Landon Street to the point that the centerline of Landon Street and the centerline of Club Drive intersect; thence proceeding in a southwesterly direction following the centerline of Club Drive to the point that an extension of the centerline of Club Drive and the centerline of Ivy Creek intersect; thence proceeding in a southeasterly direction following the meandering of the centerline of Ivy Creek to the point that the centerline of Ivy Creek and the centerline of the abandoned Norfolk Southern Railroad intersect; thence proceeding in a northeasterly direction along the centerline of the abandoned Norfolk Southern Railroad to its point of intersection with the centerline of Langhorne Road; thence proceeding in a southerly direction following the centerline of Langhorne Road to the point where the centerline of Langhorne Road and the centerline of Blackwater Creek intersect; thence proceeding in a southerly direction following the meandering of the centerline of Blackwater Creek to the point that the centerline of Blackwater Creek and the centerline of an unnamed branch of Blackwater Creek intersect; thence proceeding in a southeasterly direction following the meandering of the centerline of the unnamed branch of Blackwater Creek to the point that an extension of the unnamed Branch of Blackwater Creek and the centerline of Old Forest Road intersect; thence proceeding in a southeasterly direction along the centerline of Old Forest Road to the point where the centerline of Old Forest Road and the centerline of Lakeside Drive intersect; thence proceeding in a southwesterly direction following the centerline of Lakeside Drive to the point that the centerline of Lakeside Drive and the centerline of Oakley Avenue intersect; thence proceeding in a southeasterly direction following the centerline of Oakley Avenue to the point that the centerline of Oakley Avenue and the centerline of Richmond Street intersect; thence proceeding in a southwesterly direction following the centerline of Richmond Street to the point that the centerline of Richmond Street and the centerline of Sussex Street intersect; thence proceeding in a southwesterly direction following the centerline of Sussex Street to the point that the centerline of Sussex Street and the centerline of Oakridge Boulevard intersect; thence proceeding in an easterly direction following the centerline of Oakridge Boulevard to the point that the centerline of Oakridge Boulevard and the centerline of Fort Avenue intersect; thence proceeding in a southwesterly direction following the centerline of Fort Avenue to the point that the centerline of Fort Avenue and the centerline of Timberlake Road intersect; thence proceeding in a southwesterly direction following the centerline of Timberlake Road to the point that the centerline of Timberlake Road and the City of Lynchburg Corporate Limit intersect, said point being the beginning and ending point of the Fourth Ward.

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5. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by amending Section 14-32 of Article III of Chapter 14 as follows:

Sec. 14-32. First ward.

The first ward shall be divided into five election precincts, the boundaries of which shall be as follows:

~~(1) *First precinct.* All that portion of the first ward beginning at a point, said point being the intersection of the corporate limits of the City of Lynchburg and the centerline of Graves Mill Road, thence proceeding in an easterly direction along the centerline of Graves Mill Road to its point of intersection with the centerline of McConville Road, thence proceeding in a northerly direction along the centerline of McConville Road to its point of intersection with the centerline of Tomahawk Creek, thence proceeding in an easterly direction along the centerline of Tomahawk Creek to its point of intersection with the centerline of Blackwater Creek, thence proceeding in an easterly direction along the centerline of Blackwater Creek to its point of intersection with the centerline of Fleetwood Drive extended, thence proceeding in a northerly direction along the centerline of Fleetwood Drive extended 395 feet to the terminus of the centerline of Fleetwood Drive, thence proceeding in a northerly direction along the centerline of Fleetwood Drive to its point of intersection with the centerline of Wyndale Drive, thence proceeding in an easterly direction along the centerline of Wyndale Drive to its point of intersection with the centerline of Lakeside Drive, thence proceeding in an easterly direction along the centerline of Lakeside Drive to its point of intersection with the centerline of Forest Brook Road, thence proceeding in a northerly direction along the centerline of Forest Brook Road to its point of intersection with the centerline of Old Forest Road, thence proceeding in a northeasterly direction along the centerline of Old Forest Road to its point of intersection with the centerline of Devonshire Road, thence proceeding in a northwesterly direction along the centerline of Devonshire Road to its point of intersection with the centerline of Kettering Lane, thence proceeding in a northwesterly direction 1,815 feet along the centerline of Devonshire Road extended to its point of intersection with the centerline of the Ivy Creek Tributary, thence proceeding in a northwesterly direction along the centerline of the Ivy Creek Tributary to its point of intersection with the centerline of Ivy Creek, thence proceeding in a westerly direction along the centerline of Ivy Creek, to its point of intersection with the centerline of an unnamed trail located within Peakeview Park, thence proceeding in a westerly direction along the centerline of the unnamed trail in Peakeview Park to its point of intersection with the centerline of Ivy Creek Lane, thence proceeding in a westerly direction along the centerline of Ivy Creek Lane to its point of intersection with the centerline of Wiggington Road, thence proceeding in a northwesterly direction along the centerline of Wiggington Road to its point of intersection with the centerline of Burnham Lane, thence proceeding in a northerly direction along the centerline of Burnham Lane to its point of intersection with the centerline of Mercury Street, thence proceeding in a westerly direction along the centerline of Mercury Street to its point of intersection with the centerline of Saturn Street, thence proceeding in a southerly direction along the centerline of Saturn Street to its point of intersection with the centerline of Wiggington Road, thence proceeding in a northwesterly direction along the centerline of Wiggington Road to its point of intersection with the centerline of Chadwick Drive, thence proceeding in a southwesterly direction along the centerline of Chadwick Drive to its point of intersection with the corporate limits of the City of Lynchburg, thence proceeding in a southerly direction along the corporate limits of the City of Lynchburg to the point of beginning. The voting place in said first precinct of the first ward shall be located at Heritage Baptist Church, 219 Breezewood Drive. All that portion of the first ward beginning at a point, said point being the intersection of the City of Lynchburg Corporate Limit and the centerline of Graves Mill Road; thence proceeding in an easterly direction along the centerline of Graves Mill Road to its point~~

of intersection with the centerline of McConville Road; thence proceeding in a northerly direction along the centerline of McConville Road to its point of intersection with the centerline of Tomahawk Creek; thence proceeding in an easterly direction along the centerline of Tomahawk Creek as it meanders to its point of intersection with the centerline of Blackwater Creek; thence proceeding in an easterly direction along the centerline of Blackwater Creek as it meanders to its point of intersection with the centerline of Fleetwood Drive extended; thence proceeding in a northerly direction along the centerline of Fleetwood Drive extended more or less 395 feet to the terminus of the centerline of Fleetwood Drive; thence proceeding in a northerly direction along the centerline of Fleetwood Drive to its point of intersection with the centerline of Wyndale Drive; thence proceeding in an easterly direction along the centerline of Wyndale Drive to its point of intersection with the centerline of Lakeside Drive; thence proceeding in an easterly direction along the centerline of Lakeside Drive to its point of intersection with the centerline of Forest Brook Road; thence proceeding in a northerly direction along the centerline of Forest Brook Road to its point of intersection with the centerline of Old Forest Road; thence proceeding in a northeasterly direction along the centerline of Old Forest Road to its point of intersection with the centerline of Devonshire Road; thence proceeding in a northwesterly direction along the centerline of Devonshire Road to its point of intersection with the centerline of Kettering Lane; thence proceeding in a northwesterly direction more or less 1,815 feet along the centerline of Devonshire Road extended to its point of intersection with the centerline of an Ivy Creek tributary; thence proceeding in a northwesterly direction along the centerline of such tributary as it meanders to its point of intersection with the centerline of Ivy Creek; thence proceeding in a westerly direction along the centerline of Ivy Creek as it meanders to its point of intersection with the centerline of an unnamed trail located within Peaksview Park; thence proceeding in a westerly direction along the centerline of the unnamed trail in Peaksview Park to its point of intersection with the centerline of Ivy Creek Lane; thence proceeding in a southerly direction along the centerline of Ivy Creek Lane to its point of intersection with the centerline of Wiggington Road; thence proceeding in a northwesterly direction along the centerline of Wiggington Road to its point of intersection with the centerline of Burnham Lane; thence proceeding in a northerly direction along the centerline of Burnham Lane to its point of intersection with the centerline of Mercury Street; thence proceeding in a northwesterly direction along the centerline of Mercury Street to its point of intersection with the centerline of Saturn Street; thence proceeding in a southerly direction along the centerline of Saturn Street to its point of intersection with the centerline of Wiggington Road; thence proceeding in a northwesterly direction along the centerline of Wiggington Road to its point of intersection with the centerline of Chadwick Drive; thence proceeding in a southwesterly direction along the centerline of Chadwick Drive to its point of intersection with the City of Lynchburg Corporate Limit; thence proceeding in a southerly direction along such corporate limit to the point of beginning. The voting place in said first precinct of the first ward shall be located at the Heritage Baptist Church, 219 Breezewood Drive.

~~(2) Second precinct. All that portion of the first ward beginning at a point, said point being the intersection of the corporate limits of the City of Lynchburg and the centerline of Chadwick Drive; thence proceeding in a northwesterly direction along the corporate limits of the City of Lynchburg to its point of intersection with the centerline of Boonsboro Road; thence proceeding in a southeasterly direction along the centerline of Boonsboro Road to its point of intersection with the centerline of Link Road; thence proceeding in a southwesterly direction along the centerline of Link Road to its point of intersection with the centerline of Ivy Creek; thence proceeding in a northwesterly direction along the centerline of Ivy Creek to its point of intersection with the centerline of an unnamed trail located within Peaksview Park; thence proceeding in a westerly direction along the centerline of the unnamed trail in Peaksview Park to its point of intersection with the centerline of Ivy Creek Lane; thence proceeding in a westerly direction along the~~

centerline of Ivy Creek Lane to its point of intersection with the centerline of Wiggington Road, thence proceeding in a northwesterly direction along the centerline of Wiggington Road to its point of intersection with the centerline of Burnham Lane, thence proceeding in a northerly direction along the centerline of Burnham Lane to its point of intersection with the centerline of Mercury Street, thence proceeding in a westerly direction along the centerline of Mercury Street to its point of intersection with the centerline of Saturn Street, thence proceeding in a southerly direction along the centerline of Saturn Street to its point of intersection with the centerline of Wiggington Road, thence proceeding in a northwesterly direction along the centerline of Wiggington Road to its point of intersection with the centerline of Chadwick Drive, thence proceeding in a southwesterly direction along the centerline of Chadwick Drive to the point of beginning. The voting place in said second precinct of the first ward shall be located at Bedford Hills School, Morningside Drive and Indian Hill Road. All that portion of the first ward beginning at a point, said point being the intersection of the City of Lynchburg Corporate Limit and the centerline of Chadwick Drive; thence proceeding in a northwesterly direction along said corporate limit to its point of intersection with the centerline of Boonsboro Road; thence proceeding in a southeasterly direction along the centerline of Boonsboro Road to its point of intersection with the centerline of Link Road; thence proceeding in a southwesterly direction along the centerline of Link Road to its point of intersection with the centerline of Ivy Creek; thence proceeding in a northwesterly direction along the centerline of Ivy Creek as it meanders to its point of intersection with the centerline of an unnamed trail located within Peaksview Park; thence proceeding in a westerly direction along the centerline of the unnamed trail in Peaksview Park to its point of intersection with the centerline of Ivy Creek Lane; thence proceeding in a southerly direction along the centerline of Ivy Creek Lane to its point of intersection with the centerline of Wiggington Road; thence proceeding in a northwesterly direction along the centerline of Wiggington Road to its point of intersection with the centerline of Burnham Lane; thence proceeding in a northerly direction along the centerline of Burnham Lane to its point of intersection with the centerline of Mercury Street; thence proceeding in a northwesterly direction along the centerline of Mercury Street to its point of intersection with the centerline of Saturn Street; thence proceeding in a southerly direction along the centerline of Saturn Street to its point of intersection with the centerline of Wiggington Road; thence proceeding in a northwesterly direction along the centerline of Wiggington Road to its point of intersection with the centerline of Chadwick Drive; thence proceeding in a southwesterly direction along the centerline of Chadwick Drive to the point of beginning. The voting place in said second precinct of the first ward shall be located at the Bedford Hills Elementary School, 4330 Morningside Drive.

(3) *Third precinct.* All that portion of the first ward beginning at a point, said point being the intersection of the corporate limits of the City of Lynchburg and the centerline of Boonsboro Road, thence proceeding in a southeasterly direction along the centerline of Boonsboro Road to its point of intersection with the centerline of Rivermont Avenue, thence proceeding in an easterly direction along the centerline of Rivermont Avenue to its point of intersection with the centerline of VES Road, thence proceeding in a northerly direction along the centerline of VES Road to its point of intersection with the centerline of Hydro Street, thence proceeding in a Northerly Direction along the centerline of Hydro Street to its point of intersection with the centerline of Sugar Tree Branch, thence proceeding in an easterly direction along the centerline of Sugar Tree Branch to its point of intersection with the western bank of the James River, thence proceeding in an easterly direction along the centerline of Sugar Tree Branch extended 306 feet to its point of intersection with the corporate limits of the City of Lynchburg, thence proceeding in a Northerly direction along the corporate limits of the City of Lynchburg to the point of beginning. The voting place in said third precinct of the first ward shall be located at First Presbyterian Church, 1215 Virginia Episcopal School Road. All that portion of the first ward beginning at a point, said point being the

intersection of the City of Lynchburg Corporate Limit and the centerline of Boonsboro Road; thence proceeding in a southeasterly direction along the centerline of Boonsboro Road to its point of intersection with the centerline of Rivermont Avenue; thence proceeding in an easterly direction along the centerline of Rivermont Avenue to its point of intersection with the centerline of VES Road; thence proceeding in a northerly direction along the centerline of VES Road to its point of intersection with the centerline of Hydro Street; thence proceeding in a northerly direction along the centerline of Hydro Street to its point of intersection with the centerline of Sugar Tree Branch; thence proceeding in an easterly direction along the centerline of Sugar Tree Branch as it meanders to its point of intersection with the western bank of the James River; thence proceeding in an easterly direction along the centerline of Sugar Tree Branch extended more or less 306 feet as it meanders to its point of intersection with the City of Lynchburg Corporate Limit; thence proceeding in a northerly direction along such corporate limit to the point of beginning. The voting place in said third precinct of the first ward shall be located at the First Presbyterian Church, 1215 VES Road.

~~(4) Fourth precinct. All that portion of the first ward beginning at a point, said point being the intersection of the centerline of Rivermont Avenue and the centerline of VES Road, thence proceeding in a northerly direction along the centerline of VES Road to its point of intersection with the centerline of Hydro Street, thence proceeding in a northerly direction along the centerline of Hydro Street to its point of intersection with the centerline of Sugar Tree Branch, thence proceeding in an easterly direction along the centerline of Sugar Tree Branch to its point of intersection with the western bank of the James River, thence proceeding in an easterly direction along the centerline of Sugar Tree Branch extended 306 feet to its point of intersection with the corporate limits of the City of Lynchburg, thence proceeding in a southerly direction along the corporate limits of the City of Lynchburg to its point of intersection with the centerline of the Norfolk and Southern Railroad, thence proceeding in a southwesterly direction along the centerline of the Norfolk and Southern Railroad to its point of intersection with the centerline of Rivermont Avenue, thence proceeding in an westerly direction along the centerline of Rivermont Avenue to the point of beginning. The voting place in said fourth precinct of the first ward shall be located at Rivermont Presbyterian Church, 2424 Rivermont Avenue.~~ All that portion of the first ward beginning at a point, said point being the intersection of the centerline of Rivermont Avenue and the centerline of VES Road; thence proceeding in a northerly direction along the centerline of VES Road to its point of intersection with the centerline of Hydro Street; thence proceeding in a northerly direction along the centerline of Hydro Street to its point of intersection with the centerline of Sugar Tree Branch; thence proceeding in an easterly direction along the centerline of Sugar Tree Branch as it meanders to its point of intersection with the western bank of the James River; thence proceeding in an easterly direction along the centerline of Sugar Tree Branch extended more or less 306 feet as it meanders to its point of intersection with the City of Lynchburg Corporate Limit; thence proceeding in a southerly direction along such corporate limit to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in a southerly direction along the centerline of the Norfolk Southern Railroad to its point of intersection with the centerline of Rivermont Avenue; thence proceeding in a westerly direction along the centerline of Rivermont Avenue to the point of beginning. The voting place in said fourth precinct of the first ward shall be located at the Rivermont Presbyterian Church, 2424 Rivermont Avenue.

~~(5) Fifth precinct. All that portion of the first ward beginning at a point, said point being the intersection of the centerline of Ivy Creek and the centerline of the abandoned Norfolk and Southern Railroad, thence proceeding in a northeasterly direction along the centerline of the abandoned Norfolk and Southern Railroad to its point of intersection with the centerline of the Blackwater Creek Bikeway, thence proceeding in a northeasterly direction along the centerline of~~

~~the Blackwater Creek Bikeway to its point of intersection with the centerline of the Norfolk and Southern Railroad, thence proceeding in a northwesterly direction along the centerline of the Norfolk and Southern Railroad to its point of intersection with the centerline of Rivermont Avenue, thence proceeding in a westerly direction along the centerline of Rivermont Avenue to its point of intersection with the centerline of Rivermont Terrace, thence proceeding in a southerly direction along the centerline of Rivermont Terrace to its point of intersection with the centerline of Langhorne Road, thence proceeding in a southerly direction along the centerline of Langhorne Road to its point of intersection with the centerline of Landon Street, thence proceeding in a westerly direction along the centerline of Landon Street to its point of intersection with Club Drive, thence proceeding in a southwesterly direction along the centerline of Club Drive to its terminus, thence proceeding in a southwesterly direction 93 feet along the centerline of Club Drive extended to its point of intersection with the centerline of Ivy Creek, thence proceeding in a southeasterly direction along the centerline of Ivy Creek to its point of beginning. The voting place in said fifth precinct of the first ward shall be located at First Christian Church, 3109 Rivermont Avenue. All that portion of the first ward beginning at a point, said point being the intersection of the centerline of Ivy Creek and the centerline of the abandoned Norfolk Southern Railroad; thence proceeding in a northeasterly direction along the centerline of the abandoned Norfolk Southern Railroad to its point of intersection with the centerline of the Blackwater Creek Bikeway; thence proceeding in a northeasterly direction along the centerline of the Blackwater Creek Bikeway to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in a northerly direction along the centerline of the Norfolk Southern Railroad to its point of intersection with the centerline of Rivermont Avenue; thence proceeding in a westerly direction along the centerline of Rivermont Avenue to its point of intersection with the centerline of Rivermont Terrace; thence proceeding in a southerly direction along the centerline of Rivermont Terrace to its point of intersection with the centerline of Langhorne Road; thence proceeding in a southerly direction along the centerline of Langhorne Road to its point of intersection with the centerline of Landon Street; thence proceeding in a westerly direction along the centerline of Landon Street to its point of intersection with Club Drive; thence proceeding in a southwesterly direction along the centerline of Club Drive to its terminus; thence proceeding in a southwesterly direction more or less 93 feet along the centerline of Club Drive extended to its point of intersection with the centerline of Ivy Creek; thence proceeding in a southeasterly direction along the centerline of Ivy Creek as it meanders to the point of beginning. The voting place in said fifth precinct of the first ward shall be located at the First Christian Church, 3109 Rivermont Avenue.~~

6. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by amending Section 14-33 of Article III of Chapter 14 as follows:

Sec. 14-33. Second ward.

The second ward shall be divided into four election precincts, the boundaries of which shall be as follows:

(1) *First precinct.* ~~All that portion of the second ward beginning at a point, said point being the intersection of the centerline of Langhorne Road and the centerline of the abandoned Norfolk and Southern Railroad, thence proceeding in a northeasterly direction along the centerline of the abandoned Norfolk and Southern Railroad to its point of intersection with the centerline of the Blackwater Creek Bikeway, thence proceeding in a northeasterly direction along the centerline of the Blackwater Creek Bikeway to its point of intersection with the centerline of the Norfolk and Southern Railroad, thence proceeding in a northwesterly direction along the centerline of the Norfolk and Southern Railroad to its point of intersection with the corporate limits of the City of~~

Lynchburg, thence proceeding in a southeasterly direction along the corporate limits of the City of Lynchburg to its point of intersection with the centerline of eighth street extended, thence proceeding in a southwesterly direction 645 feet along the centerline of Eighth street extended to the terminus of the centerline of Eighth street, thence proceeding in a southwesterly direction along the centerline of Eighth street to its point of intersection with the centerline of Park Avenue, thence proceeding in a southerly direction along the centerline of Park Avenue to its point of intersection with the centerline of Floyd Street, thence proceeding in a northwesterly direction along the centerline of Floyd Street to its point of intersection with the centerline of Eighth Street, thence proceeding in a southwesterly direction along the centerline of Eighth Street to its point of intersection with the centerline of Buchanan Street, thence proceeding in a northwesterly direction along the centerline of Buchanan Street, to its point of intersection with the centerline of Kemper Street, thence proceeding in a southwesterly direction along the centerline of Kemper Street 204 feet to a point, said point being the 90 degree turn in Kemper Street, thence proceeding in a southwesterly direction 618 feet to a point, said point being the terminus of the centerline of Eighth Street, thence proceeding in a southwesterly direction along the centerline of Eighth Street to its point of intersection with the centerline of Orchard Street, thence proceeding in a southerly direction along the centerline of Orchard Street to its point of intersection with the centerline of Kingston Avenue, thence proceeding in a southwesterly direction along the centerline of Kingston Avenue to its point of intersection with the centerline of Langhorne Road, thence proceeding in a northwesterly direction along the centerline of Langhorne Road to its point of intersection with the centerline of Memorial Avenue, thence proceeding in a southwesterly direction along the centerline of Memorial Avenue to its point of intersection with the centerline of Lakeside Drive, thence proceeding in a northwesterly direction along the centerline of Lakeside Drive to its point of intersection with the centerline of the Blackwater Creek Tributary, thence proceeding in a northwesterly direction along the centerline of the Blackwater Creek Tributary to its point of intersection with the centerline of Blackwater Creek, thence proceeding in a northerly direction along the centerline of Blackwater Creek, to its point of intersection with the centerline of Langhorne Road, thence proceeding in a northerly direction along the centerline of Langhorne Road to the point of beginning. The voting place in said first precinct of the second ward shall be located at St. Paul's Episcopal Church, 605 Clay Street. All that portion of the second ward beginning at a point, said point being the intersection of the centerline of Langhorne Road and the centerline of the abandoned Norfolk Southern Railroad; thence proceeding in a northeasterly direction along the centerline of the abandoned Norfolk Southern Railroad to its point of intersection with the centerline of the Blackwater Creek Bikeway; thence proceeding in a northeasterly direction along the centerline of the Blackwater Creek Bikeway to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in a northerly direction along the centerline of the Norfolk Southern Railroad to its point of intersection with the City of Lynchburg Corporate Limit; thence proceeding in a southeasterly direction along such corporate limit to its point of intersection with the centerline of Eighth Street extended; thence proceeding in a southwesterly direction along the centerline of Eighth Street to its point of intersection with the centerline of Park Avenue; thence proceeding in a southerly direction along the centerline of Park Avenue to its point of intersection with the centerline of Floyd Street; thence proceeding in a northwesterly direction along the centerline of Floyd Street to its point of intersection with the centerline of Eighth Street; thence proceeding in a southwesterly direction along the centerline of Eighth Street to its point of intersection with the centerline of Buchanan Street; thence proceeding in a northwesterly direction along the centerline of Buchanan Street to its point of intersection with the centerline of Kemper Street; thence proceeding in a southwesterly direction along the centerline of Kemper Street more or less 204 feet to a point, said point being the 90 degree turn in Kemper Street; thence proceeding in a southwesterly direction more or less 618 feet to a point, said point being a terminus of the centerline of Eighth Street; thence proceeding in a southwesterly direction along the centerline

of Eighth Street to its point of intersection with the centerline of Orchard Street; thence proceeding in a southerly direction along the centerline of Orchard Street to its point of intersection with the centerline of Kingston Avenue; thence proceeding in a southwesterly direction along the centerline of Kingston Avenue to its point of intersection with the centerline of Langhorne Road; thence proceeding in a northwesterly direction along the centerline of Langhorne Road to its point of intersection with the centerline of Memorial Avenue; thence proceeding in a southwesterly direction along the centerline of Memorial Avenue to its point of intersection with the centerline of Lakeside Drive; thence proceeding in a northwesterly direction along the centerline of Lakeside Drive to its point of intersection with the centerline of Old Forest Road; thence proceeding in a northwesterly direction along the centerline of Old Forest Road to its point of intersection with the centerline of Blackwater Creek; thence proceeding in a northeasterly direction along the centerline of Blackwater Creek as it meanders to its point of intersection with the centerline of Langhorne Road; thence proceeding in a northerly direction along the centerline of Langhorne Road to the point of beginning. The voting place in said first precinct of the second ward shall be located at the St. Paul's Episcopal Church, 605 Clay Street.

(2) Second precinct. ~~All that portion of the second ward beginning at a point said point being the corporate limits of the City of Lynchburg to its point of intersection with the centerline of eighth street extended, thence proceeding in a southwesterly direction 645 feet along the centerline of Eighth street extended to the terminus of the centerline of Eighth street, thence proceeding in a southwesterly direction along the centerline of Eighth street to its point of intersection with the centerline of Park Avenue, thence proceeding in a southerly direction along the centerline of Park Avenue to its point of intersection with the centerline of Floyd Street, thence proceeding in a northwesterly direction along the centerline of Floyd Street to its point of intersection with the centerline of Eighth Street, thence proceeding in a southwesterly direction along the centerline of Eighth Street to its point of intersection with the centerline of Buchanan Street, thence proceeding in a northwesterly direction along the centerline of Buchanan Street, to its point of intersection with the centerline of Kemper Street, thence proceeding in a southwesterly direction along the centerline of Kemper Street 204 feet to a point, said point being the 90-degree turn in Kemper Street, thence proceeding in a southwesterly direction 618 feet to a point, said point being the terminus of the centerline of Eighth Street, thence proceeding in a southwesterly direction along the centerline of Eighth Street to its point of intersection with the centerline of Orchard Street, thence proceeding in a southerly direction along the centerline of Orchard Street to its point of intersection with the centerline of Kingston Avenue, thence proceeding in a southwesterly direction along the centerline of Kingston Avenue to its point of intersection with the centerline of Langhorne Road, thence proceeding in a northwesterly direction along the centerline of Langhorne Road to its point of intersection with the centerline of Memorial Avenue, thence proceeding in a southwesterly direction along the centerline of Memorial Avenue to its point of intersection with the centerline of Wadsworth Street, thence proceeding in a southeasterly direction along the centerline of Wadsworth Street to its point of intersection with the centerline of Fort Avenue, thence proceeding in a southwesterly direction along the centerline of Fort Avenue to its point of intersection with the centerline of Lancaster Street, thence proceeding in a southeasterly direction along the centerline of Lancaster Street to its point of intersection with the centerline of Rives Street, thence proceeding in a southwesterly direction along the centerline of Rives Street to its point of intersection with the centerline of Gordon Street, thence proceeding in a southeasterly direction along the centerline of Gordon Street to its point of intersection with the centerline of Stadium Road, thence proceeding in an easterly direction along the centerline of Stadium Road to its point of intersection with the centerline of the southbound lane of the Lynchburg Expressway, thence proceeding in a southwesterly direction along the centerline of the southbound lane of the Lynchburg Expressway to its point of intersection with the centerline of the Norfolk and Southern Railroad, thence proceeding in an easterly direction along the~~

centerline of the Norfolk and Southern Railroad to its point of intersection with the centerline of the eastern most track of the Norfolk and Southern Railroad, thence proceeding in a northerly direction along the centerline of the eastern most track of the Norfolk and Southern Railroad to its point of intersection with the centerline of Fishing Creek, thence proceeding in a northeasterly direction 734 feet to the corporate limits of the City of Lynchburg, thence proceeding in a northeasterly direction along the corporate limits of the City of Lynchburg to the point of beginning. The voting place in said second precinct of the second ward shall be located at Robert S. Payne Elementary School Gymnasium, 1201 Floyd Street. All that portion of the second ward beginning at a point, said point being the intersection of the City of Lynchburg Corporate Limit with the centerline of Eighth Street extended; thence proceeding in a southwesterly direction more or less 645 feet along the centerline of Eighth Street extended to a terminus of the centerline of Eighth Street; thence proceeding in a southwesterly direction along the centerline of Eighth Street to its point of intersection with the centerline of Park Avenue; thence proceeding in a southerly direction along the centerline of Park Avenue to its point of intersection with the centerline of Floyd Street; thence proceeding in a northwesterly direction along the centerline of Floyd Street to its point of intersection with the centerline of Eighth Street; thence proceeding in a southwesterly direction along the centerline of Eighth Street to its point of intersection with the centerline of Buchanan Street; thence proceeding in a northwesterly direction along the centerline of Buchanan Street to its point of intersection with the centerline of Kemper Street; thence proceeding in a southwesterly direction along the centerline of Kemper Street more or less 204 feet to a point, said point being the 90 degree turn in Kemper Street; thence proceeding in a southwesterly direction more or less 618 feet to a point, said point being a terminus of the centerline of Eighth Street; thence proceeding in a southwesterly direction along the centerline of Eighth Street to its point of intersection with the centerline of Orchard Street; thence proceeding in a southerly direction along the centerline of Orchard Street to its point of intersection with the centerline of Kingston Avenue; thence proceeding in a southwesterly direction along the centerline of Kingston Avenue to its point of intersection with the centerline of Langhorne Road; thence proceeding in a northwesterly direction along the centerline of Langhorne Road to its point of intersection with the centerline of Memorial Avenue; thence proceeding in a southwesterly direction along the centerline of Memorial Avenue to its point of intersection with the centerline of Lakeside Drive; thence proceeding in a northwesterly direction along the centerline of Lakeside Drive to its point of intersection with the centerline of Oakley Avenue; thence proceeding in a southeasterly direction along the centerline of Oakley Avenue to its point of intersection with the centerline of Fort Avenue; thence proceeding along the centerline of Fort Avenue in a northeasterly direction to its point of intersection with the centerline of Lancaster Street; thence proceeding in a southeasterly direction along the centerline of Lancaster Street to its point of intersection with the centerline of Rives Street; thence proceeding in a southwesterly direction along the centerline of Rives Street to its point of intersection with the centerline of Gordon Street; thence proceeding in a southeasterly direction along the centerline of Gordon Street to its point of intersection with the centerline of Stadium Road; thence proceeding in an easterly direction along the centerline of Stadium Road to its point of intersection with the centerline of the southbound lane of the Lynchburg Expressway; thence proceeding in a southwesterly direction along the centerline of the southbound lane of the Lynchburg Expressway to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in an easterly direction along the centerline of the Norfolk Southern Railroad (east/west line) to its point of intersection with the centerline of the eastern most track of the Norfolk Southern Railroad (north/south line); thence proceeding in a northerly direction along the centerline of the eastern most track of the Norfolk Southern Railroad to its point of intersection with the centerline of Fishing Creek; thence proceeding in a northeasterly direction more or less 734 feet to the City of Lynchburg Corporate Limit; thence proceeding in a northeasterly direction along said corporate limit to the point of beginning. The

voting place in said second precinct of the second ward shall be located at the Robert S. Payne Elementary School Gymnasium, 1201 Floyd Street.

(3) Third precinct. All that portion of the second ward beginning at a point, said point being the intersection of the centerline of the Norfolk and Southern Railroad (east/west line) and the centerline of the eastern most track of the centerline of the Norfolk and Southern Railroad (north/south line) thence proceeding in a northerly direction along the centerline of the eastern most track of the Norfolk and Southern Railroad to its point of intersection with the centerline of Fishing Creek; thence proceeding in a northeasterly direction 734 feet to the corporate limits of the City of Lynchburg; thence proceeding in a southeasterly direction along the corporate limits of the City of Lynchburg to its point of intersection with the centerline of Martin Street; thence proceeding in a northwesterly direction along the centerline of Martin Street to its point of intersection with the centerline of the eastbound lane of Richmond Highway; thence proceeding in an easterly direction along the centerline of the eastbound lane of Richmond Highway to its point of intersection with the centerline of the northbound lane of Campbell Avenue; thence proceeding in a northwesterly direction along the centerline of the northbound lane of Campbell Avenue to its point of intersection with the centerline of Florida Avenue; thence proceeding in an northeasterly direction along the centerline of Florida Avenue to its point of intersection with the centerline of the Norfolk and Southern Railroad; thence proceeding in a northwesterly direction along the centerline of the Norfolk and Southern Railroad to the point of beginning. The voting place in said third precinct of the second ward shall be located at the Jubilee Family Development Center, 1512 Florida Avenue. All that portion of the second ward beginning at a point, said point being the intersection of the centerline of the Norfolk Southern Railroad (east/west line) and the centerline of the eastern most track of the centerline of the Norfolk Southern Railroad (north/south line); thence proceeding in a northerly direction along the centerline of the eastern most track of the Norfolk Southern Railroad to its point of intersection with the centerline of Fishing Creek; thence proceeding in a northeasterly direction more or less 734 feet to the City of Lynchburg Corporate Limit; thence proceeding in a southeasterly direction along said corporate limit to its point of intersection with the centerline of Martin Street; thence proceeding in a northwesterly direction along the centerline of Martin Street to its point of intersection with the centerline of the eastbound lane of U.S. 460 Richmond Highway; thence proceeding in an easterly direction along the centerline of the eastbound lane of U.S. 460 Richmond Highway to its point of intersection with the centerline of the northbound lane of Campbell Avenue; thence proceeding in a northwesterly direction along the centerline of the northbound lane of Campbell Avenue to its point of intersection with the centerline of Florida Avenue; thence proceeding in a northeasterly direction along the centerline of Florida Avenue to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in a northwesterly direction along the centerline of the Norfolk Southern Railroad to the point of beginning. The voting place in said third precinct of the second ward shall be located at the Jubilee Family Development Center, 1512 Florida Avenue.

(4) Fourth precinct. All that portion of the second ward beginning at a point, said point being the point of intersection between the centerline of the eastbound lane of Richmond Highway and the centerline of the Norfolk and Southern Railroad; thence proceeding in an easterly direction along the centerline of the eastbound lane of Richmond Highway to its point of intersection with the centerline of the northbound lane of Campbell Avenue; thence proceeding in a northwesterly direction along the centerline of the northbound lane of Campbell Avenue to its point of intersection with the centerline of Florida Avenue; thence proceeding in an northeasterly direction along the centerline of Florida Avenue to its point of intersection with the centerline of the Norfolk and Southern Railroad; thence proceeding in a northwesterly direction along the centerline of the Norfolk and Southern Railroad to its point of intersection with the centerline of Rutherford Street

extended 75 feet, thence proceeding in a southerly direction 55 feet along the centerline of Rutherford Street extended to its point of intersection with the centerline of the Norfolk and Southern Railroad, thence proceeding in an easterly direction along the centerline of the Norfolk and Southern Railroad to its point of intersection with the centerline of Carroll Avenue, thence proceeding in a southwesterly direction along the centerline of Carroll Avenue to its point of intersection with the centerline of Albert Lankford Drive, thence proceeding in a southwesterly direction along the centerline of Albert Lankford Drive to its point of intersection with the centerline of Odd Fellows Road, thence proceeding in a southeasterly direction along the centerline of Odd Fellows Road to its point of intersection with the centerline of Perkins Street, thence proceeding in a northerly direction along the centerline of Perkins Street to its point of intersection with the centerline of Mayflower Drive, thence proceeding in an easterly direction along the centerline of Mayflower Drive to its point of intersection with the centerline of the Norfolk and Southern Railroad, thence proceeding in an easterly direction along the centerline of the Norfolk and Southern Railroad to the point of beginning. The voting place in said fourth precinct of the second ward shall be located at Fairview Christian Church, 2107 Campbell Avenue. All that portion of the second ward beginning at a point, said point being the point of intersection between the centerline of the eastbound lane of U.S. 460 Richmond Highway and the centerline of the Norfolk Southern Railroad; thence proceeding in an easterly direction along the centerline of the eastbound lane of U.S. 460 Richmond Highway to its point of intersection with the centerline of the northbound lane of Campbell Avenue; thence proceeding in a northwesterly direction along the centerline of the northbound lane of Campbell Avenue to its point of intersection with the centerline of Florida Avenue; thence proceeding in a northeasterly direction along the centerline of Florida Avenue to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in a northwesterly direction along the centerline of the Norfolk Southern Railroad to its point of intersection with the centerline of the southbound lane of the Lynchburg Expressway; thence proceeding in a southwesterly direction along the centerline of the southbound lane of the Lynchburg Expressway to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in an easterly direction along the centerline of the Norfolk Southern Railroad to its point of intersection with the centerline of Carroll Avenue; thence proceeding in a southwesterly direction along the centerline of Carroll Avenue to its point of intersection with the centerline of Albert Lankford Drive; thence proceeding in a southwesterly direction along the centerline of Albert Lankford Drive to its point of intersection with the centerline of Odd Fellows Road; thence proceeding in a southeasterly direction along the centerline of Odd Fellows Road to its point of intersection with the centerline of Perkins Street; thence proceeding in a northerly direction along the centerline of Perkins Street to its point of intersection with the centerline of Mayflower Drive; thence proceeding in an easterly direction along the centerline of Mayflower Drive to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in an easterly direction along the centerline of the Norfolk Southern Railroad to the point of beginning. The voting place in said fourth precinct of the second ward shall be located at the Fairview Christian Church, 2705 Campbell Avenue.

7. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by amending Section 14-34 of Article III of Chapter 14 as follows:

Sec. 14-34. Third ward.

The third ward shall be divided into five election precincts, the boundaries of which shall be as follows:

(1) *First precinct.* All that portion of the third ward beginning at a point, said point being the intersection of the centerline of Rockbridge Avenue and the centerline of Lakeside Drive, thence

~~proceeding in a northeasterly direction along the centerline of Lakeside Drive to its point of intersection with the centerline of Memorial Avenue, thence proceeding in a southwesterly direction along the centerline of Memorial Avenue to its point of intersection with the centerline of Wadsworth Street, thence proceeding in a southeasterly direction along the centerline of Wadsworth Street to its point of intersection with the centerline of Fort Avenue, thence proceeding in a southwesterly direction along the centerline of Fort Avenue to its point of intersection with the centerline of Lancaster Street, thence proceeding in a southeasterly direction along the centerline of Lancaster Street to its point of intersection with the centerline of Rives Street, thence proceeding in a southwesterly direction along the centerline of Rives Street to its point of intersection with the centerline of Gordon Street, thence proceeding in a southeasterly direction along the centerline of Gordon Street to its point of intersection with the centerline of Stadium Road, thence proceeding in an easterly direction along the centerline of Stadium Road to its point of intersection with the centerline of the southbound lane of the Lynchburg Expressway, thence proceeding in a southerly direction along the centerline of the southbound lane of the Lynchburg Expressway to its point of intersection with the centerline of the Norfolk and Southern Railroad, thence proceeding in a southwesterly direction along the centerline of the Norfolk and Southern Railroad to its point of intersection with the centerline of Edley Place extended, thence proceeding in a northwesterly direction 97 feet to the terminus of the centerline of Edley Place, thence proceeding in a northwesterly direction along the centerline of Edley Place to its point of intersection with Fort Avenue, thence proceeding in a northeasterly direction along the centerline of Fort Avenue to its point of intersection with the centerline of Oakridge Boulevard, thence proceeding in a northwesterly direction along the centerline of Oakridge Boulevard to its point of intersection with the centerline of Sussex Street, thence proceeding in a northeasterly direction along the centerline of Sussex Street to its point of intersection with the centerline of Richmond Street, thence proceeding in a northeasterly direction along the centerline of Richmond Street to its point of intersection with the centerline of Rockbridge Avenue, thence proceeding in a northwesterly direction along the centerline of Rockbridge Avenue to the point of beginning. The voting place in said first precinct of the third ward shall be located at the Lynchburg Public Library, 2315 Memorial Avenue. All that portion of the third ward beginning at a point, said point being the intersection of the centerline of Fort Avenue and the centerline of Lancaster Street; thence proceeding in a southeasterly direction along the centerline of Lancaster Street to its point of intersection with the centerline of Rives Street; thence proceeding in a southwesterly direction along the centerline of Rives Street to its point of intersection with the centerline of Gordon Street; thence proceeding in a southeasterly direction along the centerline of Gordon Street to its point of intersection with the centerline of Stadium Road; thence proceeding in an easterly direction along the centerline of Stadium Road to its point of intersection with the centerline of the southbound lane of the Lynchburg Expressway; thence proceeding in a southerly direction along the centerline of the southbound lane of the Lynchburg Expressway to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in a southwesterly direction along the centerline of the Norfolk Southern Railroad to its point of intersection with the Norfolk Southern Railroad; thence proceeding in a southwesterly direction along the centerline of the Norfolk Southern Railroad to its point of intersection with the centerline of Edley Place extended; thence proceeding in a northwesterly direction more or less 97 feet to the terminus of the centerline of Edley Place; thence proceeding in a northwesterly direction along the centerline of Edley Place to its point of intersection with the centerline of Fort Avenue; thence proceeding in a northeasterly direction along the centerline of Fort Avenue to its point of intersection with the centerline of Oakridge Boulevard; thence proceeding in a northwesterly direction along the centerline of Oakridge Boulevard to its point of intersection with the centerline of Sussex Street; thence proceeding in a northeasterly direction along the centerline of Sussex Street to its point of intersection with the centerline of Richmond Street; thence proceeding in a northeasterly direction along the centerline of Richmond Street to its~~

point of intersection with the centerline of Oakley Avenue; thence proceeding in a southeasterly direction along the centerline of Oakley Avenue to its point of intersection with Fort Avenue; thence proceeding in a northeasterly direction along the centerline of Fort Avenue to the point of beginning. The voting place in said first precinct of the third ward shall be located at the Lynchburg Public Library, 2315 Memorial Avenue.

(2) Second precinct. All that portion of the third ward beginning at a point, said point being the intersection of the Corporate Limits of the City of Lynchburg and the centerline of Candler Mountain Road, thence proceeding in a northerly direction along the centerline of Candler Mountain Road to its point of intersection with the centerline of the Norfolk and Southern Railroad, thence proceeding in a southwesterly direction along the centerline of the Norfolk and Southern Railroad to its point of intersection with the Corporate Limits of the City of Lynchburg, thence proceeding in a northeasterly direction along the Corporate Limits of the City of Lynchburg to the point of beginning. The voting place of said second precinct of the third ward shall be located at the Vines Center 2001 University Boulevard. All that portion of the third ward beginning at a point, said point being the intersection of the City of Lynchburg Corporate Limit and the centerline of Candler Mountain Road; thence proceeding in a northerly direction along the centerline of Candler Mountain Road to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in a southwesterly direction along the centerline of the Norfolk Southern Railroad to its point of intersection with the City of Lynchburg Corporate Limit; thence proceeding in a northeasterly direction along said corporate limit to the point of beginning. The voting place of said second precinct of the third ward shall be located at the Montview Alumni Ballroom of the Montview Student Union on the Campus of Liberty University, 1971 University Boulevard – 3rd Floor.

(3) Third precinct. All that portion of the third ward beginning at a point, said point being the intersection of the corporate limits of the City of Lynchburg and the centerline of Candler Mountain Road, thence proceeding in a northerly direction along the centerline of Candler Mountain Road to its point of intersection with the centerline of the Norfolk and Southern Railroad, thence proceeding in a southwesterly direction 2,055 feet along the centerline of the Norfolk and Southern Railroad to a point, thence proceeding in a northwesterly direction 425 feet to a point, said point being on the centerline of the perimeter road of River Ridge Mall, thence proceeding in a northwesterly direction along the centerline of the perimeter road of River Ridge Mall to its point of intersection with the centerline of Glass Avenue, thence proceeding in a westerly direction along the centerline of Glass Avenue to its terminus, thence proceeding 223 feet along the centerline of Glass Avenue extended to its point of intersection with the centerline of Rock Castle Creek, thence proceeding in a northwesterly direction along the centerline of Rock Castle Creek to its point of intersection with the centerline of Burton Creek, thence proceeding in a northwesterly direction along the centerline of Burton Creek to its point of intersection with the centerline of the westbound lane of Fort Avenue, thence proceeding in a northeasterly direction along the westbound lane of Fort Avenue to its point of intersection with the centerline of Edley Place, thence proceeding in a southeasterly direction along the centerline of Edley Place to its terminus, thence proceeding 97 feet along the centerline of Edley Place extended to its point of intersection with the centerline of the Norfolk and Southern Railroad, thence proceeding in a northeasterly direction along the centerline of the Norfolk and Southern Railroad to its point of intersection with the centerline of Rutherford Street extended, thence proceeding in a southerly direction 55 feet along the centerline of Rutherford Street extended to its point of intersection with the centerline of the Norfolk and Southern Railroad, thence proceeding in an easterly direction along the centerline of the Norfolk and Southern Railroad to its point of intersection with the centerline of Carroll Avenue, thence proceeding in a southwesterly direction along the centerline of Carroll Avenue to its point of intersection with the centerline of Albert Lankford Drive, thence proceeding

in a southwesterly direction along the centerline of Albert Lankford Drive to its point of intersection with the centerline of Odd Fellows Road, thence proceeding in a southeasterly direction along the centerline of Odd Fellows Road to its point of intersection with the centerline of Perkins Street, thence proceeding in a northerly direction along the centerline of Perkins Street to its point of intersection with the centerline of Mayflower Drive, thence proceeding in an easterly direction along the centerline of Mayflower Drive to its point of intersection with the centerline of the Norfolk and Southern Railroad, thence proceeding in an easterly direction along the centerline of the Norfolk and Southern Railroad to its point of intersection with the centerline of the eastbound lane of Richmond Highway, thence proceeding in an easterly direction along the centerline of the eastbound lane of Richmond Highway to its point of intersection with the centerline of Martin Street, thence proceeding in a southeasterly direction along the centerline of Martin Street to its point of intersection with the corporate limits of the City of Lynchburg, thence proceeding in an southwesterly direction along the Corporate Limits of the City of Lynchburg to the point of beginning. The voting place in said third precinct of the third ward shall be located at Sheffield School, 115 Kenwood Place. All that portion of the third ward beginning at a point, said point being the intersection of the City of Lynchburg Corporate Limit and the centerline of Candler's Mountain Road; thence proceeding in a northerly direction along the centerline of Candler's Mountain Road to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in a southwesterly direction more or less 2,055 feet along the centerline of the Norfolk Southern Railroad to a point; thence proceeding in a northwesterly direction more or less 425 feet to a point, said point being on the centerline of the perimeter road of River Ridge Mall; thence proceeding in a northwesterly direction along the centerline of the perimeter road of River Ridge Mall to its point of intersection with the centerline of Glass Avenue; thence proceeding in a westerly direction along the centerline of Glass Avenue to its terminus; thence proceeding more or less 223 feet along the centerline of Glass Avenue extended to its point of intersection with the centerline of Rock Castle Creek; thence proceeding in a northwesterly direction along the centerline of Rock Castle Creek as it meanders to its point of intersection with the centerline of Burton Creek; thence proceeding in a northwesterly direction along the centerline of Burton Creek as it meanders to its point of intersection with the centerline of the westbound lane of Fort Avenue; thence proceeding in a northeasterly direction along the centerline of the westbound lane of Fort Avenue to its point of intersection with the centerline of Edley Place; thence proceeding in a southeasterly direction along the centerline of Edley Place to its terminus; thence proceeding more or less 97 feet along the centerline of Edley Place extended to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in a northeasterly direction along the centerline of the Norfolk Southern Railroad to its point of intersection with the centerline of Rutherford Street extended; thence proceeding in a southerly direction more or less 55 feet along the centerline of Rutherford Street extended to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in an easterly direction along the centerline of the Norfolk Southern Railroad to its point of intersection with the centerline of Carroll Avenue; thence proceeding in a southwesterly direction along the centerline of Carroll Avenue to its point of intersection with the centerline of Albert Lankford Drive; thence proceeding in a southwesterly direction along the centerline of Albert Lankford Drive to its point of intersection with the centerline of Odd Fellows Road; thence proceeding in a southeasterly direction along the centerline of Odd Fellows Road to its point of intersection with the centerline of Perkins Street; thence proceeding in a northerly direction along the centerline of Perkins Street to its point of intersection with the centerline of Mayflower Drive; thence proceeding in an easterly direction along the centerline of Mayflower Drive to its point of intersection with the centerline of the Norfolk Southern Railroad; thence proceeding in an easterly direction along the centerline of the Norfolk Southern Railroad to its point of intersection with the centerline of the eastbound lane of U.S. 460 Richmond Highway; thence proceeding in an easterly direction along the centerline of the eastbound lane of U.S. 460

Richmond Highway to its point of intersection with the centerline of Martin Street; thence proceeding in a southeasterly direction along the centerline of Martin Street to its point of intersection with the City of Lynchburg Corporate Limit; thence proceeding in a southwesterly direction along said corporate limit to the point of beginning. The voting place in said third precinct of the third ward shall be located at the Sheffield Elementary School, 115 Kenwood Place.

(4) Fourth precinct. ~~All that portion of the third ward beginning at a point, said point being the intersection of the corporate limits of the City of Lynchburg and the centerline of the Norfolk and Southern Railroad, thence proceeding in a northerly direction 8,084 feet along the centerline of the Norfolk and Southern Railroad to a point, thence proceeding in a northwesterly direction 425 feet to a point, said point being on the centerline of the perimeter road of River Ridge Mall, thence proceeding in a northwesterly direction along the centerline of the perimeter road of River Ridge Mall to its point of intersection with the centerline of Glass Avenue, thence proceeding in a westerly direction along the centerline of Glass Avenue to its terminus, thence proceeding 223 feet along the centerline of Glass Avenue extended to its point of intersection with the centerline of Rock Castle Creek, thence proceeding in a northwesterly direction along the centerline of Rock Castle Creek to its point of intersection with the centerline of Burton Creek, thence proceeding in a northwesterly direction along the centerline of Burton Creek to its point of intersection with the centerline of the westbound lane of Fort Avenue/Timberlake Road, thence proceeding in a southwesterly direction along the centerline of the westbound lane of Timberlake Road to its point of intersection with the centerline of Leesville Road, thence proceeding in a southwesterly direction along the centerline of Leesville Road to its point of intersection with the centerline of Del Ray Circle, thence proceeding in a southeasterly direction along the centerline of Del Ray Circle to its point of intersection with the corporate limits of the City of Lynchburg, thence proceeding in a northeasterly direction along the Corporate Limits of the City of Lynchburg to the point of beginning. The voting place in said fourth precinct of the third ward shall be located at the First Church of the Nazarene, 1737 Wards Ferry Road. All that portion of the third ward beginning at a point, said point being the intersection of the City of Lynchburg Corporate Limit and the centerline of the Norfolk Southern Railroad; thence proceeding in a northerly direction more or less 8,084 feet along the centerline of the Norfolk Southern Railroad to a point; thence proceeding in a northwesterly direction more or less 425 feet to a point, said point being on the centerline of the perimeter road of River Ridge Mall; thence proceeding in a northwesterly direction along the centerline of the perimeter road of River Ridge Mall to its point of intersection with the centerline of Glass Avenue; thence proceeding in a westerly direction along the centerline of Glass Avenue to its terminus; thence proceeding more or less 223 feet along the centerline of Glass Avenue extended to its point of intersection with the centerline of Rock Castle Creek; thence proceeding in a northwesterly direction along the centerline of Rock Castle Creek as it meanders to its point of intersection with the centerline of Burton Creek; thence proceeding in a northwesterly direction along the centerline of Burton Creek as it meanders to its point of intersection with the centerline of the westbound lane of Fort Avenue/Timberlake Road; thence proceeding in a southwesterly direction along the centerline of the westbound lane of Timberlake Road to its point of intersection with the centerline of Leesville Road; thence proceeding in a southerly direction along the centerline of Leesville Road to its point of intersection with the centerline of Del Ray Circle; thence proceeding in a southeasterly direction along the centerline of Del Ray Circle to its point of intersection with the City of Lynchburg Corporate Limit; thence proceeding in a northeasterly direction along said corporate limit to the point of beginning. The voting place in said fourth precinct of the third ward shall be located at the Compassion Church of the Nazarene (formerly the First Church of the Nazarene), 1737 Wards Ferry Road.~~

~~(5) Fifth precinct. All that portion of the third ward beginning at a point, said point being the intersection of the centerline of the westbound lane of Timberlake Road and Leesville Road; thence proceeding in a southwesterly direction along the centerline of Leesville Road to its point of intersection with the centerline of Del Ray Circle; thence proceeding in a southeasterly direction along the centerline of Del Ray Circle to its point of intersection with the corporate limits of the City of Lynchburg; thence proceeding in a southwesterly direction along the centerline of the corporate limits of the City of Lynchburg to its point of intersection with the centerline of the westbound lane of Timberlake Road; thence proceeding in a northeasterly direction along the centerline of the westbound lane of Timberlake Road to the point of beginning. The voting place of said fifth precinct of the third ward shall be located at Heritage United Methodist Church, 582 Leesville Road. All that portion of the third ward beginning at a point, said point being the intersection of the centerline of the westbound lane of Timberlake Road and Leesville Road; thence proceeding in a southerly direction along the centerline of Leesville Road to its point of intersection with the centerline of Del Ray Circle; thence proceeding in a southeasterly direction along the centerline of Del Ray Circle to its point of intersection with the City of Lynchburg Corporate Limit; thence proceeding in a southwesterly direction along said corporate limit to its point of intersection with the centerline of the westbound lane of Timberlake Road; thence proceeding in a northeasterly direction along the centerline of the westbound lane of Timberlake Road to the point of beginning. The voting place of said fifth precinct of the third ward shall be located at the Heritage United Methodist Church, 582 Leesville Road.~~

8. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by amending Section 14-35 of Article III of Chapter 14 as follows:

Sec. 14-35. Fourth ward.

The fourth ward shall be divided into four election precincts, the boundaries of which shall be as follows:

~~(1) First precinct. All that portion of the fourth ward beginning at a point, said point being the intersection of the Corporate Limits of the City of Lynchburg and the centerline of Graves Mill Road; thence proceeding in an easterly direction along the centerline of Graves Mill Road to its point of intersection with the centerline of McConville Road; thence proceeding in a northerly direction along the centerline of McConville Road to its point of intersection with the centerline of Tomahawk Creek; thence proceeding in an easterly direction along the centerline of Tomahawk Creek to its point of intersection with the centerline of Burton Creek; thence proceeding in a southerly direction along the centerline of Burton Creek to its point of intersection with the centerline of the westbound lane of Timberlake Road; thence proceeding in a southwesterly direction along the centerline of the westbound lane of Timberlake Road to its point of intersection with the Corporate Limits of the City of Lynchburg; thence proceeding in a westerly direction along the Corporate Limits of the City of Lynchburg to the point of beginning. Through the November 2010 election the voting place of said first precinct of the fourth ward shall be located at Crosspoint Church, 7610 Timberlake Road. After the November 2010 election City Council will reconsider the location of the voting place of the first precinct of the fourth ward. All that portion of the fourth ward beginning at a point, said point being the intersection of the City of Lynchburg Corporate Limit and the centerline of Graves Mill Road; thence proceeding in an easterly direction along the centerline of Graves Mill Road to its point of intersection with the centerline of McConville Road; thence proceeding in a northerly direction along the centerline of McConville Road to its point of intersection with the centerline of Tomahawk Creek; thence proceeding in an easterly direction along the centerline of Tomahawk Creek as it meanders to its point of intersection with the centerline of Burton Creek; thence proceeding in a southerly direction along the centerline~~

of Burton Creek as it meanders to its point of intersection with the centerline of the westbound lane of Timberlake Road; thence proceeding in a southwesterly direction along the centerline of the westbound lane of Timberlake Road to its point of intersection with the City of Lynchburg Corporate Limit; thence proceeding in a westerly direction along said corporate limit to the point of beginning. The voting place in said first precinct of the fourth ward shall be located at the St. Thomas More Catholic Church, 3015 Roundelay Road.

(2) Second precinct. All that portion of the fourth ward beginning at a point, said point being the intersection of the centerline of Tomahawk Creek, Burton Creek and the centerline of Blackwater Creek, thence proceeding in an easterly direction along the centerline of Blackwater Creek to its point of intersection with the Blackwater Creek Tributary, thence proceeding in a southeasterly direction along the centerline of the Blackwater Creek Tributary to its point of intersection with the centerline of Heath Avenue extended, thence proceeding in a southerly direction 234 feet along the centerline of Heath Avenue extended to the terminus of the centerline of Heath Avenue, thence proceeding in a southerly direction along the centerline of Heath Avenue to its point of intersection with the centerline of Fort Avenue, thence proceeding in a southwesterly direction along the centerline of Fort Avenue to its point of intersection with the centerline of Burton Creek, thence proceeding in a northerly direction along the centerline of Burton Creek, to the point of beginning. The voting place in said second precinct of the fourth ward shall be located at Sandusky Middle School, 805 Chinook Place. All that portion of the fourth ward beginning at a point, said point being the intersection of the centerline of Tomahawk Creek, the centerline of Burton Creek, and the centerline of Blackwater Creek; thence proceeding in an easterly direction along the meandering of the centerline of Blackwater Creek to its point of intersection with the centerline of a Blackwater Creek tributary; thence proceeding in a southeasterly direction along the meandering of the centerline of such tributary to its point of intersection with the centerline of Heath Avenue extended; thence proceeding in a southerly direction more or less 234 feet along the centerline of Heath Avenue extended to the terminus of the centerline of Heath Avenue; thence proceeding in a southerly direction along the centerline of Heath Avenue to its point of intersection with the centerline of Fort Avenue; thence proceeding in a southwesterly direction along the centerline of Fort Avenue to its point of intersection with the centerline of Burton Creek; thence proceeding in a northerly direction along the centerline of Burton Creek as it meanders to the point of beginning. The voting place in said second precinct of the fourth ward shall be located at the Sandusky Middle School, 805 Chinook Place.

(3) Third precinct. All the portion of the fourth ward lying at a point, said point being the intersection of the centerline of Wyndale Drive and the centerline of Fleetwood Avenue, thence proceeding in a southeasterly direction along the centerline of Fleetwood Avenue to its terminus, thence proceeding in a southerly direction 395 feet along the centerline of Fleetwood Drive extended to its point of intersection with the centerline of Blackwater Creek, thence proceeding in a northeasterly direction along the centerline of Blackwater Creek to its point of intersection with the Blackwater Creek Tributary, thence proceeding in a southeasterly direction along the centerline of the Blackwater Creek Tributary to its point of intersection with the centerline of Heath Avenue extended, thence proceeding in a southerly direction 234 feet along the centerline of Heath Avenue extended to the terminus of the centerline of Heath Avenue, thence proceeding in a southerly direction along the centerline of Heath Avenue to its point of intersection with the centerline of Fort Avenue, thence proceeding in a northeasterly direction along the centerline of Fort Avenue to its point of intersection with the centerline of Oakridge Boulevard, thence proceeding in a westerly direction along the centerline of Oakridge Boulevard to its point of intersection with the centerline of Sussex Street, thence proceeding in a northeasterly direction along the centerline of Sussex Street to its point of intersection with the

~~centerline of Richmond Street, thence proceeding in a northeasterly direction along the centerline of Richmond Street to its point of intersection with the centerline of Reskbridge Avenue, thence proceeding in a northwesterly direction along the centerline of Reskbridge Avenue to its point of intersection with the centerline of Lakeside Drive, thence proceeding in a southwesterly direction along the centerline of Lakeside Drive to its point of intersection with the centerline of Wyndale Drive, thence proceeding in a southwesterly direction along the centerline of Wyndale Drive to the point of beginning. The voting place in said third precinct of the fourth ward shall be located at the Perrymont Fellowship Hall, 114 Perrymont Avenue. All the portion of the fourth ward lying at a point, said point being the intersection of the centerline of Wyndale Drive and the centerline of Fleetwood Drive; thence proceeding in a southeasterly direction along the centerline of Fleetwood Drive to its terminus; thence proceeding in a southerly direction more or less 395 feet along the centerline of Fleetwood Drive extended to its point of intersection with the centerline of Blackwater Creek; thence proceeding in a northeasterly direction along the centerline of Blackwater Creek as it meanders to its point of intersection with the centerline of a Blackwater Creek tributary; thence proceeding in a southeasterly direction along the centerline of such tributary as it meanders to its point of intersection with the centerline of Heath Avenue extended; thence proceeding in a southerly direction more or less 234 feet along the centerline of Heath Avenue extended to the terminus of the centerline of Heath Avenue; thence proceeding in a southerly direction along the centerline of Heath Avenue to its point of intersection with the centerline of Fort Avenue; thence proceeding in a northeasterly direction along the centerline of Fort Avenue to its point of intersection with the centerline of Oakridge Boulevard; thence proceeding in a westerly direction along the centerline of Oakridge Boulevard to its point of intersection with the centerline of Sussex Street; thence proceeding in a northeasterly direction along the centerline of Sussex Street to its point of intersection with the centerline of Richmond Street; thence proceeding in a northeasterly direction along the centerline of Richmond Street to its point of intersection with the centerline of Oakley Avenue; thence proceeding in a northwesterly direction along the centerline of Oakley Avenue to its point of intersection with the centerline of Lakeside Drive; thence proceeding in a southwesterly direction along the centerline of Lakeside Drive to its point of intersection with the centerline of Wyndale Drive; thence proceeding in a southwesterly direction along the centerline of Wyndale Drive to the point of beginning. The voting place in said third precinct of the fourth ward shall be located at the Perrymont Fellowship Hall, 114 Perrymont Avenue.~~

~~(4) Fourth precinct. All that portion of the fourth ward beginning at a point, said point being the intersection of the centerline of Rivermont Avenue and the centerline of Rivermont Terrace, thence proceeding in a southerly direction along the centerline of Rivermont Terrace to its point of intersection with the centerline of Langhorne Road, thence proceeding in a southerly direction along the centerline of Langhorne Road to its point of intersection with the centerline of Landon Street, thence proceeding in a westerly direction along the centerline of Landon Street to its point of intersection with Club Drive, thence proceeding in a southwesterly direction along the centerline of Club Drive to its terminus, thence proceeding in a southwesterly direction 93 feet along the centerline of Club Drive extended to its point of intersection with the centerline of Ivy Creek, thence proceeding in a southeasterly direction along the centerline of Ivy Creek to its point of intersection with the centerline of the abandoned Norfolk and Southern Railroad, thence proceeding in a northeasterly direction along the centerline of the abandoned Norfolk and Southern Railroad to its point of intersection with the centerline of Langhorne Road, thence proceeding in a southerly direction along the centerline of Langhorne Road to its point of intersection with the centerline of Blackwater Creek, thence proceeding in a westerly direction along the centerline of Blackwater Creek to its point of intersection with the Blackwater Creek Tributary, thence proceeding in an easterly direction along the centerline of the Blackwater~~

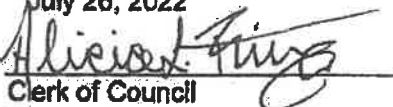
~~Creek Tributary to its point of intersection with the centerline of Lakeside Drive, thence proceeding in a southwesterly direction along the centerline of Lakeside Drive to its point of intersection with the centerline of Forest Brook Road, thence proceeding in a northerly direction along the centerline of Forest Brook Road to its point of intersection with the centerline of Old Forest Road, thence proceeding in a northeasterly direction along the centerline of Old Forest Road to its point of intersection with Devonshire Road, thence proceeding in a northwesterly direction along the centerline of Devonshire Road to its point of intersection with Kettering Lane, thence proceeding in a northwesterly direction 1,815 feet along the centerline of Devonshire Road extended to its point of intersection with the centerline of the Ivy Creek Tributary, thence proceeding in a northwesterly direction along the centerline of the Ivy Creek Tributary to its point of intersection with the centerline of Ivy Creek, thence proceeding in a northeasterly direction along the centerline of Ivy Creek to its point of intersection with the centerline of Link Road, thence proceeding in a northeasterly direction along the centerline of Link Road to its point of intersection with Rivermont Avenue, thence proceeding in an easterly direction to the point of beginning. The voting place in said fourth precinct of the fourth ward shall be located at Linkhome Middle School, 2525 Linkhome Drive. All that portion of the fourth ward beginning at a point, said point being the intersection of the centerline of Rivermont Avenue and the centerline of Rivermont Terrace; thence proceeding in a southerly direction along the centerline of Rivermont Terrace to its point of intersection with the centerline of Langhome Road; thence proceeding in a southerly direction along the centerline of Langhome Road to its point of intersection with the centerline of Landon Street; thence proceeding in a westerly direction along the centerline of Landon Street to its point of intersection with Club Drive; thence proceeding in a southwesterly direction along the centerline of Club Drive to its terminus; thence proceeding in a southwesterly direction more or less 93 feet along the centerline of Club Drive extended to its point of intersection with the centerline of Ivy Creek; thence proceeding in a southeasterly direction along the centerline of Ivy Creek as it meanders to its point of intersection with the centerline of the abandoned Norfolk Southern Railroad; thence proceeding in a northeasterly direction along the centerline of the abandoned Norfolk Southern Railroad to its point of intersection with the centerline of Langhome Road; thence proceeding in a southerly direction along the centerline of Langhome Road to its point of intersection with the centerline of Blackwater Creek; thence proceeding in a southerly direction along the meandering of the centerline of Blackwater Creek to its point of intersection with the centerline of Old Forest Road; thence proceeding in a southeasterly direction along the centerline of Old Forest Road to its point of intersection with Lakeside Drive; thence proceeding in a southwesterly direction along the centerline of Lakeside Drive to its point of intersection with the centerline of Forest Brook Road; thence proceeding in a northerly direction along the centerline of Forest Brook Road to its point of intersection with the centerline of Old Forest Road; thence proceeding in a northeasterly direction along the centerline of Old Forest Road to its point of intersection with the centerline of Devonshire Road; thence proceeding in a northwesterly direction along the centerline of Devonshire Road to its point of intersection with the centerline of Kettering Lane; thence proceeding in a northwesterly direction more or less 1,815 feet along the centerline of Devonshire Road extended to its point of intersection with the centerline of an Ivy Creek tributary; thence proceeding in a northwesterly direction along the centerline of such tributary as it meanders to its point of intersection with the centerline of Ivy Creek; thence proceeding in a northeasterly direction along the centerline of Ivy Creek as it meanders to its point of intersection with the centerline of Link Road; thence proceeding in a northeasterly direction along the centerline of Link Road to its point of intersection with the centerline of Rivermont Avenue; thence proceeding in an easterly direction along the centerline of Rivermont Avenue to the point of beginning. The voting place in said fourth precinct of the fourth ward shall be located at the Linkhome Middle School, 2525 Linkhome Drive.~~

9. That the Geographic Information System (GIS) map of the above described amendments, entitled "Scenario A Wards and Precincts" and dated July 12, 2022, is explicitly incorporated herein by reference for illustrative and reference purposes only. Such map is not intended to be relied upon as a precise representation of the above described boundaries and polling places, but rather an approximate representation of the same. In the event of a conflict between the said Geographic Information System (GIS) map and the above described boundaries and polling places, then the latter shall control in all respects.

10. That the Clerk of Council shall send a certified copy of this Ordinance and a copy of the above said Geographic Information System (GIS) map to the City's General Registrar, the City's Electoral Board, the Secretary of the Commonwealth of Virginia, the Virginia Department of Elections, and the Virginia Division of Legislative Services.

11. That this Ordinance shall be effective upon its adoption, but will not be implemented by the City until a certification of no objection has been issued by the Attorney General of Virginia, or his designee, relating to the aforesaid amendments.

Adopted: July 26, 2022

Certified: 
Clerk of Council

Scenario A Wards and Precincts

