



CITY COUNCIL WORK SESSION

Tuesday, June 23, 2026 | 4:00 PM
2nd Floor Training Room - City Hall
900 Church Street
Lynchburg, VA 24504

AGENDA

- I. Welcome** *Larry Taylor, Mayor*
- II. Work Session Agenda Overview** *Wynter C. Benda, City Manager*
- III. Business Item Briefing(s)**
 - III.1.** 1612 Concord Turnpike - Rezoning - Mixed Use
 - III.2.** City Code Amendment Section 16.1-18 (Erosion & Stormwater Management Fees)
 - III.3.** Zoning Ordinance Amendment - Data Centers
- IV. Work Session Agenda Items**
 - IV.4.** Derelict Buildings Dashboard
- V. Roll Call**
- VI. Closed Session**
 - VI.5.** Consideration of a closed meeting to discuss pursuing a condemnation proceeding to acquire small interests of a single property on Florida Avenue to successfully complete the Florida Avenue Pedestrian Improvements Project pursuant to §§ 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended.

AGENDA ITEM SUMMARY

MEETING DATE

June 23, 2026

PRESENTED BY

Rachel Frischeisen, City Planner

AGENDA ITEM # III.1

1612 Concord Turnpike - Rezoning - Mixed Use

RECOMMENDATION

This item will appear for City Council vote on the July 14, 2026, Public Hearing agenda. Approval of the rezoning petition.

SUMMARY

1612 Concord Turnpike LLC is petitioning to rezone approximately three and twenty-nine hundredths (3.29) acres located at 1612 Concord Turnpike from I-3, Heavy Industrial District to B-4, Urban Commercial District to allow the adaptive reuse of historic structures as a mix of hotel rooms and/or apartments on the upper level of the structure and commercial uses on the ground floor.

Mixed use as proposed is permitted by-right in the proposed B-4, Urban Commercial District. The City's Comprehensive Plan 2013-2030 Future Land Use Map (FLUM) recommends Downtown uses for the property. The proposed rezoning aligns with this recommendation. The property is eligible for State and Federal Historic Tax Credits. Using these tax credits for the rehabilitation of the building would ensure the preservation of historic features on the building.

PRIOR ACTION(S)

June 10, 2026: The Planning Commission recommended approval (7-0) of the rezoning petition.

June 10, 2026: The Planning Division recommended approval of the rezoning petition.

FISCAL IMPACT

N/A

CONTACT(S)

Rachel Frischeisen, City Planner

ATTACHMENT(S)

1. Presentation
2. Planning Commission Minutes, Report, and Attachments

REVIEWED BY



William Martin, Community Development Director

Date: June 16, 2026



Kent White, Assistant City Manager

Date: June 16, 2026



Alicia Finney-Andrews, Clerk of Council

Date: June 18, 2026

1612 CONCORD TURNPIKE REZONING

Tuesday, June 23, 2026



PURPOSE & ACTION

Purpose:

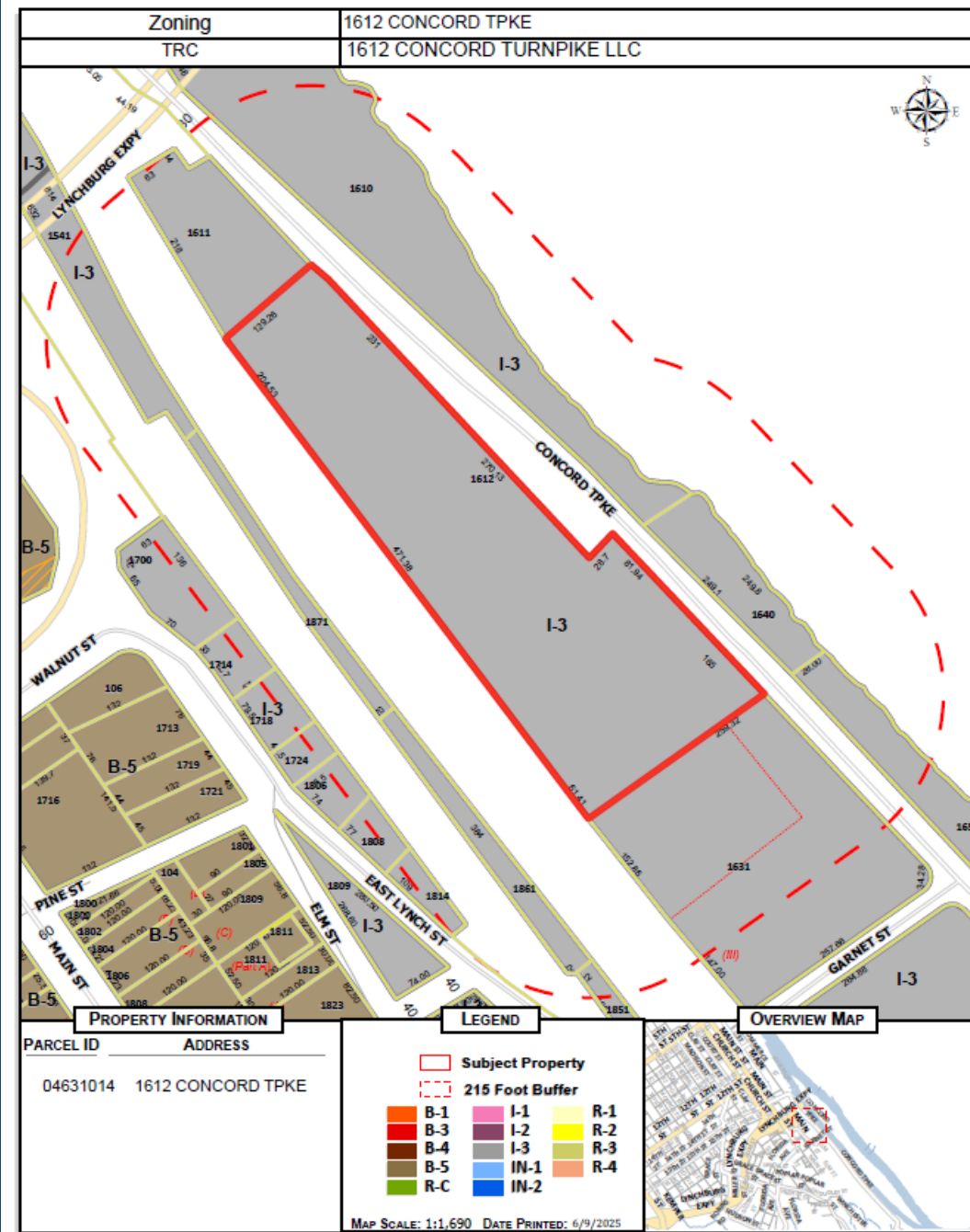
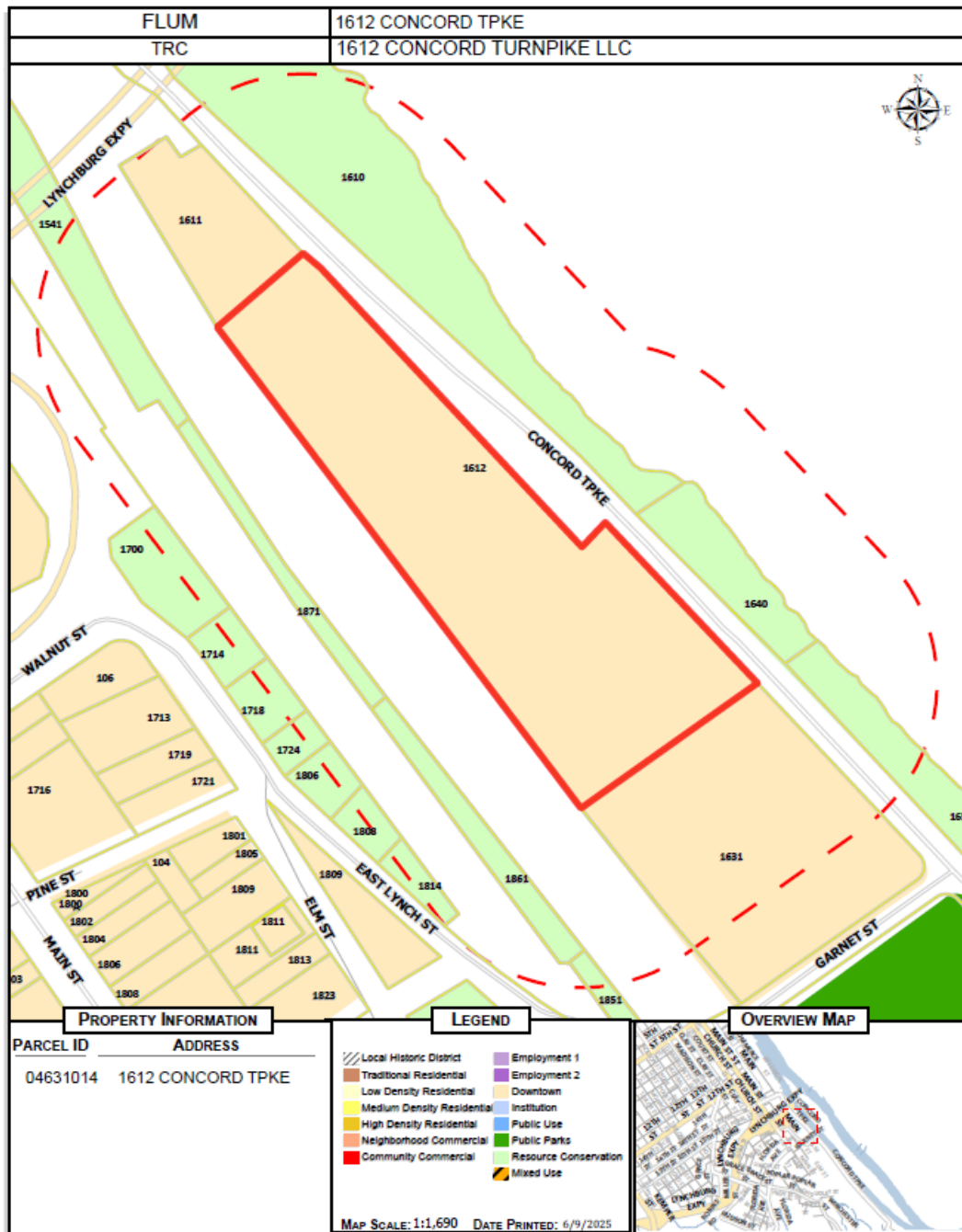
Petition of 1612 Concord Turnpike LLC to rezone 1612 Concord Turnpike from I-3, Heavy Industrial District to B-4, Urban Commercial District to allow for the adaptive reuse of the existing historic structures.

Recommendation:

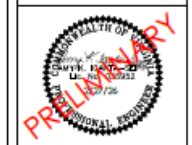
The Planning Commission recommended approval (7-0) of the rezoning petition.

Action:

A City Council public hearing will be held on July 14, 2026.



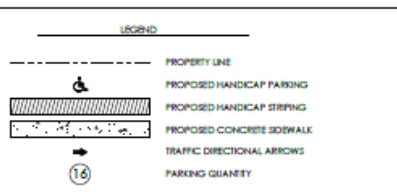
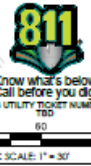
CONCEPTUAL PLAN
FOR
1612 CONCORD TURNPIKE, LLC.
CITY OF LYNCHBURG, VIRGINIA



REVISIONS

NO.	DATE	DESCRIPTION

SCALE:	1" = 30'
ADD JOB #:	2019-318
FILE #:	2019-318 SITE
PARCEL ID:	04631014
DATE:	JUNE 3, 2025



- SITE NOTES**
- EXISTING AND PROPOSED SERVICE CONNECTIONS SHALL NOT BE USED FOR DEMOLITION, GRADING, LANDSCAPING, OR ANY CONSTRUCTION PURPOSE UNTIL APPROPRIATE BACKFLOW DEVICES HAVE BEEN INSTALLED, TESTED AND TEST RESULTS HAVE BEEN APPROVED BY THE CITY OF LYNCHBURG.
 - IF ANY BACKFLOW PREVENTION ASSEMBLIES ARE FOUND DURING DEMOLITION OR OTHER WORK, THEY SHALL NOT BE REMOVED, RELOCATED, OR REPLACED WITHOUT ADVANCE AUTHORIZATION FROM CITY OF LYNCHBURG UTILITIES AND SERVICE AUTHORITY.
 - IF ANY DISCREPANCIES BETWEEN PLANS AND ACTUAL CONDITIONS ARE DISCOVERED RELATIVE TO EXISTING OR PROPOSED PUBLIC WATER OR SEWER CONNECTIONS, THE CITY OF LYNCHBURG SHALL BE NOTIFIED IMMEDIATELY.
 - ALL PUBLIC INFRASTRUCTURE SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF LYNCHBURG MANUAL OF SPECIFICATIONS AND STANDARD DETAILS.
 - LANDSCAPING AND/OR OTHER SITE FEATURES SHALL NOT BE SUCH THAT THEY IMPACT THE REQUIRED ALLOWANCES FOR ANY RP (OR RPDA) FOR BACKFLOW NOW OR IN THE FUTURE.

B-4 ZONING PARKING TABULATION (PER SECT. 35.2-42.4 (F))

SPACE TYPE	REQUIRED	PROPOSED	TOTAL
STANDARD (9'X18')	0	146	146
ADA	0	7	7
BK/EPER SEC. 35.2-42.4)	0	7	7

NOTE: FINAL PARKING & FINAL TOTAL PARKING SPACES TO BE DETERMINED ONCE FINAL BUILDING PLANS HAVE BEEN ESTABLISHED.

NOTE
LANDSCAPING AND/OR OTHER SITE FEATURES SHALL NOT BE SUCH THAT THEY IMPACT THE REQUIRED ALLOWANCES FOR ANY RP (OR RPDA) FOR BACKFLOW NOW OR IN THE FUTURE.

- LANDSCAPE CALCULATIONS:**
(PER SECT. 35.2-43.7 (G))
- PARKING LANDSCAPE SHADE TREES: 1/8 SPACES
1/2 SPACES = 21.50 = 22 SHADE TREES REQUIRED
 - PARKING LANDSCAPE SHRUBS:
MEDIUM SHRUBS: 1/TEACH PARKING SPACE
1/2 PARKING SPACES = 172 MEDIUM SHRUBS REQUIRED

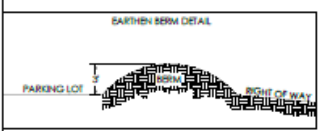
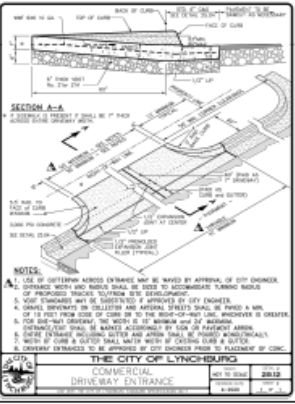
- PARKING AREA SCREENING REQUIREMENT:**
(PER SECT. 35.2-43.7 (G)(2)(ii))
EARTHEN BERM W/ 3 SMALL SHRUBS PER 3 FT OF STREET FRONTAGE
- STREET FRONTAGE = 780.48 LF
780.48/3 = 260.16
260.16/3 SHRUBS = 86.72

LANDSCAPE TABULATION (PER SECTION 35.2-43.7, (G))

SYMBOL	TYPE	BOTANICAL NAME	COMMON NAME	SIZE	CANOPY SF	QUANTITY	CANOPY TOTAL SF
	SHADE TREE	ULMUS PARVIFOLIA	LACED BARK ELM	11-1/2" DB AT 30" R SPREAD	177	22	22 X 177 = 3,894 SF
	MEDIUM SHRUB	RHOODENDRON	FIREBALL AZALEA	48"-72" SPREAD	57	172	172 X 57 = 9,804 SF

SCREENING LANDSCAPE TABULATION (PER SECTION 35.2-43.7, (G))

SYMBOL	TYPE	BOTANICAL NAME	COMMON NAME	SIZE	CANOPY SF	QUANTITY	CANOPY TOTAL SF
	SMALL SHRUB	THELMA OCCIDENTALIS	LITTLE GEM DWARF ABOURVATIAE	24"-48" SPREAD	16	87	87 X 16 = 1,392 SF



GPD (GALLONS PER DAY) DETAILS:

RESTAURANT = 50 GPD PER SEAT = 167 TOTAL SEATING PROPOSED = **8,350 GPD**
EVEN SPACE = 3 GPD PER SEAT = 871 TOTAL OCCUPANCY PROPOSED = **4,355 GPD**
HOTEL = 150 GPD PER ROOM = 50 TOTAL ROOMS PROPOSED = **4,500 GPD**

8,350
4,355
12,705 (144) = (13,336) 13.34 GPM (1) GPM = 1440 GPD

* INFORMATION HEREON IS BASED ON PREVIOUS CONCORD TURNPIKE SEWER IMPROVEMENT PLANS DATED JULY 14, 2004 AND REVISED ON FEBRUARY 18, 2005 FOR THE CITY OF LYNCHBURG. THE EXISTING GRINDER PUMP STATION ON SITE IS RATED FOR FLOWS OF 6,000 GPD. A REPLACEMENT WILL BE NEEDED TO ACCOMMODATE THE PROPOSED 19,205 GPD (13.34 GPM) NEEDED FOR THIS SITE. RECOMMENDED GRINDER PUMP STATION IS A 2HP GOULDS (MODEL RG2021) GRINDER PUMP STATION WITH A 30.9 GPM DESIGN FLOW.



26
RE 50 ft

MINUTES OF THE JUNE 10, 2026 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED):

Petition of 1612 Concord Turnpike, LLC to rezone approximately three and two hundred ninety-four thousandths (3.294) acres located at 1612 Concord Turnpike from I-3, Heavy Industrial District to B-4, Urban Commercial District to allow for an event space, hotel or apartment units, restaurant, pool, gym, and parking.

Ms. Rachel Frischeisen, City Planner, provided the following summary to the Commission. The purpose of this petition is to allow for the adaptive reuse of the existing historic structures located at 1612 Concord Turnpike. The Future Land Use Map (FLUM) recommends Downtown uses for the subject property. Downtown is the central commercial core of the City and contains a mix of retail, entertainment, restaurant, office, residential, and other uses. Demolition of historic buildings and construction of suburban style, low-density/intensity development is inappropriate. The subject property was annexed into the City in 1870. The existing I-3, Heavy Industrial District zoning was established in 1978. The City's Zoning Ordinance describes the district as one that provides "for industrial and other activities which produce the highest levels of objectionable characteristics permitted under federal and state regulations." The FLUM designation for Downtown use was established by the Downtown 2040 Master Plan, which was adopted by Council on November 18, 2018. The plan also identifies this area as a gateway. These are important areas that signal one's arrival into Downtown Lynchburg. The subject property at 1612 Concord Turnpike consists of approximately three and twenty-nine hundredths (3.29) acres and contains a fifty-nine thousand (59,000) square foot, two-story, brick warehouse constructed in 1899. The property also contains several outbuildings and several deteriorated concrete foundations, where previous warehouse structures once stood. The property is bound to the east by Concord Turnpike and the James River, and to the west by Norfolk Southern Railway. There are industrial uses adjoining the property to the north and south. The property is located within the Lower Basin Historic District, which is listed on the Virginia Landmarks Register (VLR) and the National Register of Historic Places (NRHP) as of 2023. The warehouse built in 1899 is listed as a contributing structure in the district and is therefore eligible for State and Federal Historic Tax Credits. Using these tax credits for the rehabilitation of the building would ensure the preservation of historic features on the building. The property is located in the flood zone, and a large portion is also in the current floodway of the James River. FEMA is currently in the process of updating the City's flood maps. The current draft maps show the floodway in this area being revised, which would remove the property from the floodway. Whether the area is ultimately revised or not, the petitioner will tailor the building and site plans to meet whichever regulations are applicable at the permitting phase. If the petition is approved, the existing warehouse structures would be renovated to include a mix of hotel rooms and/or apartments on the upper level of the structure, with commercial spaces on the ground floor. Commercial uses would include a restaurant and event spaces, as well as the potential for other tenants. Amenities for residents and/or hotel guests would include a pool and gym. As mentioned previously, the property is currently zoned I-3, Heavy Industrial District, which severely limits redevelopment opportunities for the site. Many of the permitted uses in I-3 would be inappropriate for an important gateway as described in the Downtown 2040 Master Plan. The proposed B-4, Urban Commercial District, would allow flexibility in the range of uses and development standards for the site. The B-4 district also aligns with the FLUM recommendation for Downtown uses. The rezoning facilitates the adaptive reuse of an existing industrial building, while also preserving its historic character and improving a gateway to Downtown. Approval would allow the building, which has been vacant for several years, to return to an active use. The Technical Review Committee (TRC) reviewed the petition in March of 2026. Comments were minor in nature and would be addressed through the site plan review process.

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

Mr. Casey Servis of Servis Architecture was present to represent the petition. He explained that the FLUM calls for the area to be a Downtown designation. The current I-3, Heavy Industrial District zoning does not allow the building to be utilized in any substantial way. The building will continue to deteriorate if the property is not rezoned. There would be no residential areas on the first floor of the building, regardless of pending changes to the Federal Emergency Management Agency (FEMA) flood maps. The current floodplain extends approximately five (5) feet above the first floor. There have been conversations

with the Department of Historic Resources (DHR) regarding adding an additional floor in order to rise out of the floodplain, but it is not feasible with the use of tax credits. The proposed use for the first floor and two (2) outbuildings is commercial space. The proposed use of the second floor includes multiple possibilities, such as residential units, short-term rentals, or hotel rooms. If the updated flood maps are approved soon, it would allow more flexibility regarding the second-floor usage. There are already concrete slabs and other hard surfaces on the property that will be utilized for parking.

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

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

Mr. Jimmy Sligh explained that he was the owner of Ferebee-Johnson Co., Inc. and had been in the area for a long time. He stated that he was neither for nor against the petition but was concerned about the impact the rezoning could have on his adjacent property. He noted that his property had recently been included in the Lower Basin Historic District expansion and he did not want the petition for rezoning to affect his property.

Chair Rogers recommended Mr. Sligh speak with Ms. Frischeisen after the meeting to help Mr. Sligh further understand the zoning of his property. The Planning Commission was only looking at 1612 Concord with this petition, and the Commission could not speak on matters outside of the petition. He appreciated Mr. Sligh's comments, but they did not pertain to the petition.

Mr. Sligh asked if his property would remain zoned I-3, Heavy Industrial District.

Ms. Frischeisen replied that the zoning of Mr. Sligh's property would not change if 1612 Concord Turnpike were rezoned.

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

Ms. Frischeisen clarified that the Lower Basin Historic District, where Mr. Sligh's property is located, is a state and federal historic district, which makes it eligible for the use of state and federal tax credits. The district is not a local historic district and therefore is not subject to local historic district regulations like Historic Preservation Commission (HPC) approval for exterior work. The state and national historic district designation is mainly an honorary designation.

Chair Rogers asked for clarification regarding the difference between a floodway and a floodplain.

Ms. Amy Seipp of Accupoint Surveying & Design, LLC explained that floodplain designations are assigned to all land. A floodway indicates an area of more frequent flooding, historically. She explained that conversations with FEMA have been ongoing regarding the proposed revisions to the floodplain maps.

Commissioner Gammon asked Ms. Seipp when the new maps would be released.

Ms. Seipp explained that FEMA issued current draft maps in 2024. There are several steps to the process for accepting new floodplain maps, including both an acceptance period and a public hearing period. Technically everyone is within some form of a floodplain. If a property is within floodplain X, it means that currently the property is outside of the one hundred (100) year flood. Floodways are typically areas that see more frequent flooding. The buildings on this property have not flooded in the last forty (40) years. FEMA has a map review period. As more development occurs, the maps need to be revisited. Floodways have an established base flood elevation and they use historical flooding to inform the new maps.

Commissioner Henderson said that he supported this project. It would be good for Downtown and tourism. He asked for additional information regarding emergency services in the event of flooding.

Mr. Tony West, the property owner, explained that there would be safety precautions with policies and procedures in place to ensure evacuation from the facility. Included in the design will be floodway doors to secure the building. Advance notice would be given for the potential of flooding and the City of Lynchburg has the best swift water service in Virginia.

Chair Rogers said that he was in support of this petition and is supportive in general of projects that revitalize existing buildings.

Commissioner Perault commented that he loved adaptive reuse and was in full support of the petition.

Commissioner Gammon said that he liked seeing an existing building reused for a new purpose and appreciated development within Downtown, especially when the building includes mixed use. He noted concern that if the rezoning were approved, the property may be sold and developed into something different.

Mr. West responded that he had no intention of selling the property.

Mr. Servis stated that due to the floodplain and floodway, there was a great deal of limitations to the property as far as development.

Mr. West said that by utilizing state and federal historic tax credits he would gain back roughly forty-five (45) percent of the amount he spends in this endeavor.

Commissioner Gammon asked for clarification about the impact the floodplain designation would have on the application of tax credits.

Mr. Servis explained that historic tax credits are for state and federal historic districts, which are different than local historic districts. The state and federal districts do not have requirements; instead, these districts offer incentives for rehabilitation that come with certain rules. With the floodplain overlap, there are some exceptions within FEMA's regulations and building code given the building's historical designation. This allows for alternative flood proofing methods that would not be permitted in new construction. In this case, the one hundred-year (100) floodplain sits above the first-floor windows of the building. Permanent metal brackets will be installed in the mortar of the brick at each opening that will have no impact on the historic character of the structure. In the case of a flood, removable gasketed panels will be installed on every window, which will floodproof the entire first floor.

Commissioner Gammon asked if the building is able to be insured.

Mr. Servis replied yes, it is able to be insured.

Commissioner Woodson asked if the roadway would need to be improved since this area is classified as a gateway to the City.

Ms. Frischeisen replied that having the designation of gateway does not necessarily require traffic improvements. The term gateway is used to place emphasis on an area and the land use around it. It may mean that rehabilitation and investment is encouraged around the area to address any dilapidated or deteriorating properties. It is an added layer, not necessarily like zoning, but a way to focus more attention on the thoughtful development of access areas. A run-down building with a plethora of broken windows does not send a good message to those traveling into the City.

Commissioner Amy asked if the parking lot would have additional security measures to prevent any vehicle break-ins.

Mr. West replied that the term "break-ins" is overused, as often, stolen items are a consequence of people leaving their cars unlocked. He mentioned that he owned a property close to 1612 Concord Turnpike and planned to put in residential units, which would further develop the area and include

additional security once completed.

Commissioner Amy commented that this petition would be a great use of the property.

Commissioner Gammon asked what the range of the rent would be if Mr. West chose to pursue residential units instead of hotel rooms on the second floor.

Mr. West replied that the units would be one (1) bedroom with a rent range of twelve hundred (\$1,200) to fourteen hundred (\$1,400) dollars. The target demographic would be college students and young professionals.

Commissioner Henderson made the following motion, seconded by Commissioner Cox, and approved by the following vote:

“Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of 1612 Concord Turnpike, LLC, to rezone approximately three and twenty-nine hundredths (3.29) acres located at 1612 Concord Turnpike from I-3, Heavy Industrial District to B-4, Urban Commercial District.”

AYES: Amy, Cox, Gammon, Henderson, Perault, Rogers, Woodson	7
NOES:	0
ABSTENTIONS:	0
ABSENT:	0

The Department of Community Development
City Hall, Lynchburg, VA 24504 **434-455-3900**

To: Planning Commission
From: Planning Division
Date: June 10, 2026
Re: **Rezoning: I-3, Heavy Industrial District to B-4, Urban Commercial District**

I. PETITIONER

1612 Concord Turnpike LLC, 2600 Memorial Avenue, Lynchburg, VA 24501

Property Owner: Same as petitioner.

Representative: Amy Seipp, PE, Accupoint Surveying & Design LLC, 106 Vista Centre Drive, Forest, VA 24551

II. LOCATION

The subject property consists of approximately three and twenty-nine hundredths (3.29) acres located at 1612 Concord Turnpike.

II. PURPOSE

The purpose of the petition is to allow for the adaptive reuse of the existing historic structures, consisting of a mix of hotel rooms and/or apartments on the upper level of the structure and commercial uses on the ground floor.

IV. SUMMARY

- Mixed use as proposed is permitted by-right in the proposed B-4, Urban Commercial District.
- The *Comprehensive Plan 2013-2030* Future Land Use Map (FLUM) recommends Downtown uses for the property. The proposed rezoning aligns with this recommendation.
- The property is eligible for State and Federal Historic Tax Credits. Using these tax credits for the rehabilitation of the building would ensure the preservation of historic features on the building.

The Planning Division recommends approval of the Rezoning petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The *Comprehensive Plan 2013-2030* Future Land Use Map (FLUM) recommends Downtown uses for the subject property. Downtown is the central commercial core of the City and contains a mix of retail, entertainment, restaurant, office, employment, residential, public, park and institutional uses. The area should retain its urban character. Demolition of historic buildings and construction of suburban style, low-density/intensity development is inappropriate. (p. 76)

The FLUM designation for Downtown use was established by the Downtown 2040 Master Plan, adopted by Council on November 18, 2018. The plan also identifies this area as a gateway. These important areas signal arrival to Downtown Lynchburg.

2. **Zoning.** The subject property was annexed into the City in 1870. The existing I-3, Heavy Industrial District zoning was established in 1978.
3. **Proffers.** The petitioner is not proposing proffers as part of the petition.
4. **Board of Zoning Appeals (BZA).** The Zoning Administrator has determined that no variances are needed for the development of the property as proposed.
5. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
 - On May 8, 2012, Council approved the CUP petition of Invest Lynchburg, LLC to allow fill within the 100-year floodplain to allow the construction of a condominium building at 1215 and 1221 Jefferson Street.
 - On February 23, 2016, Council approved revisions to the Zoning Ordinance, which rezoned many Downtown properties from B-6 to B-4, Urban Commercial District.
 - On February 28, 2023, Council approved the CUP petition of AHC Investments, LLC to allow the renovation of three (3) townhomes into two (2)-household units (duplexes) in a B-3, Community Business District at 1312, 1316, and 1316.5 Church Street.
6. **Site Description.** The subject property at 1612 Concord Turnpike consists of approximately three and twenty-nine hundredths (3.29) acres. The property contains an approximately fifty-nine thousand (59,000) square foot, two-story, brick warehouse constructed in 1899. The property also contains two smaller buildings and several deteriorated concrete foundations, where previous warehouse structures once stood.

The property is bound to the east by Concord Turnpike and the James River, and to the west by Norfolk Southern Railway. There are industrial uses adjoining the property to the north and south.

The property is not located in a locally-designated historic district, but is located within the Lower Basin Historic District, which is listed on the Virginia Landmarks Register and the National Register of Historic Places as of 2023. The warehouse built in 1899 is listed as a contributing structure.

The property is located in the flood zone, and a large portion is also in the current floodway of the James River. FEMA is currently in the process of updating Lynchburg’s flood maps. The current draft maps show the floodway in this area being revised, which would remove the property from the floodway.

7. **Proposed Use of Property.** If the petition is approved, the existing warehouse structures would be renovated to include a mix of hotel rooms and/or apartments on the upper level of the structure, with commercial spaces on the ground floor. Commercial uses include a restaurant and event spaces, as well as the potential for other tenants. Amenities for residents and/or hotel guests include a pool and gym.

As noted on the concept plan, the project will be required to meet all requirements of the City’s floodplain management requirements for both site development and building code requirements.

8. **Traffic, Parking and Public Transit.** The petitioner was not required to conduct a traffic study as part of this petition, as the proposed uses do not generate enough trips to meet the threshold to require a study.

No parking is required by the Zoning Ordinance in the proposed B-4, Urban Commercial District; however, the petitioner plans to provide approximately one hundred fifty-three (153) spaces on site. Submitted materials indicate that the adjacent property may be utilized for overflow parking if needed, since the properties are under common ownership.

The site is not directly served by the Greater Lynchburg Transit Company (GLTC) bus service. The closest bus stop is located at the corner of Main Street and Washington Street, with service from routes 1A, 3A, and 9.

9. **Stormwater Management.** An erosion and sediment control plan will be required at the site plan phase, since land disturbance on the site will exceed one thousand (1,000) square feet. The petitioner does not anticipate that stormwater management will be required on the site, since impervious area is being removed. Analysis will be performed at the site plan phase to verify whether any stormwater quantity or quality measures will be needed.
10. **Emergency Services:** The City’s Fire Marshal and Police Department had no comments of concern regarding the petition.
11. **Impact.** The property is currently zoned I-3, Heavy Industrial District, which the City’s Zoning Ordinance describes as a district that provides “for industrial and other activities which produce the highest levels of objectionable characteristics permitted under federal and state ... regulations.” Such uses are inappropriate for an important gateway as described in the Downtown 2040 Master Plan.

The proposed mix of uses is permitted in the proposed B-4, Urban Commercial District and agrees with the FLUM recommendation for Downtown uses.

The rezoning facilitates the adaptive reuse of an existing building, while also preserving an industrial building’s historic character, and improving a gateway to downtown. Approval would allow the building, which has been vacant for several years, to return to an active use.

12. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the petition in June 2025 and March 2026. Comments were minor in nature and would be addressed through the site plan review process.

VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of 1612 Concord Turnpike, LLC, to rezone approximately three and twenty-nine hundredths (3.29) acres located at 1612 Concord Turnpike from I-3, Heavy Industrial District to B-4, Urban Commercial District.

This matter is respectfully offered for your consideration.



Rachel Frischeisen
City Planner

pc: Wynter Benda, City Manager
Greg Patrick, Deputy City Manager
Kent White, Assistant City Manager
Tom Martin, Director of Community Development
Matthew Freedman, City Attorney
J. Lee Newland, City Engineer
Cynthia Kozerow, Lynchburg Police Department
Candace Brown, Fire Marshal
Doug Saunders, Building Official
Kevin Henry, Zoning Administrator
Amy Seipp, PE, Accupoint Surveying & Design LLC

VII. ATTACHMENTS

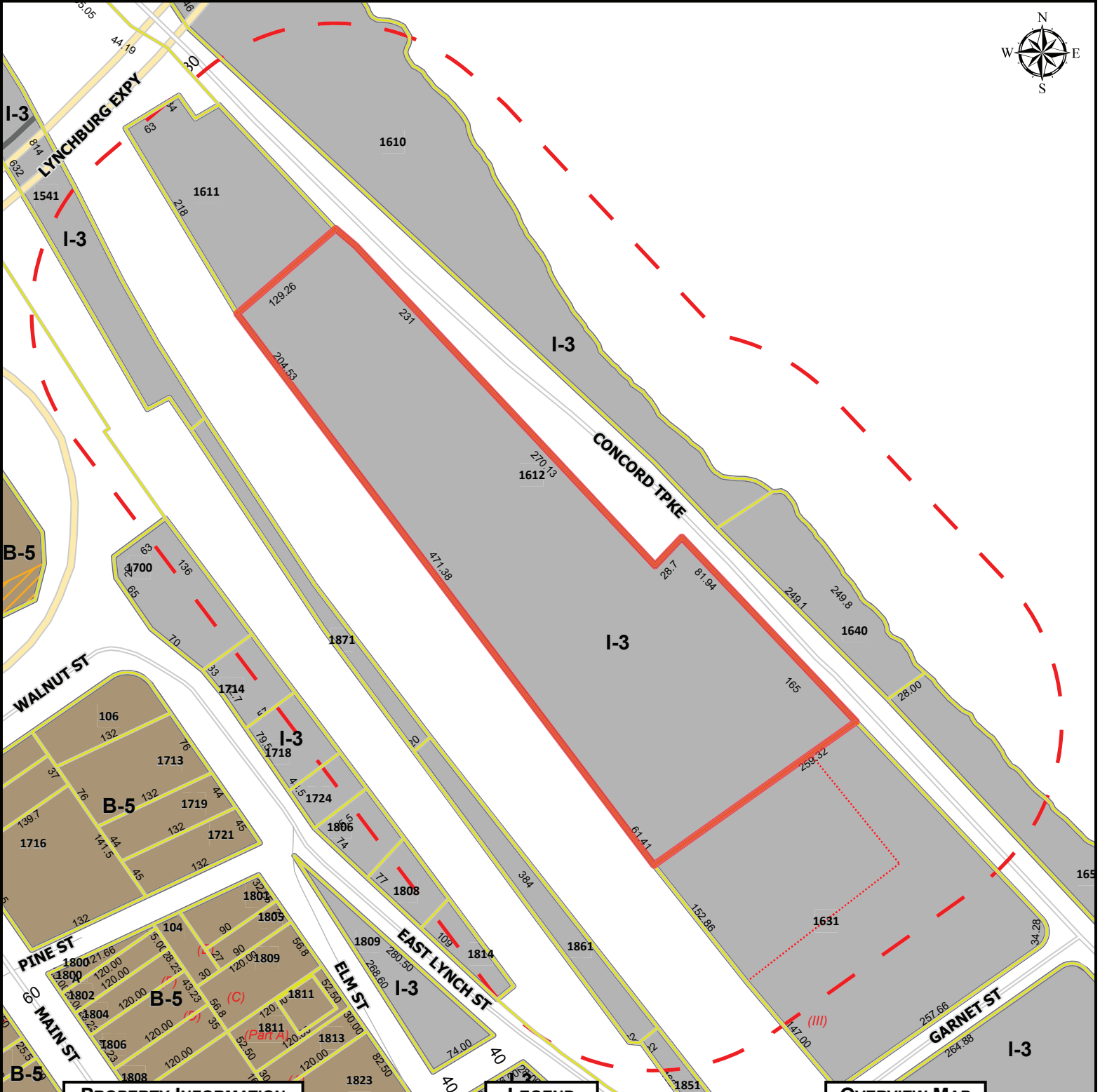
- 1. Zoning Map with Adjoining Property Owners**
- 2. Future Land Use Map**
- 3. Watershed Map**
- 4. Planimetric and Topographic Map**
- 5. Narrative**
- 6. Concept Plan**
- 7. Property Photograph**

Zoning

1612 CONCORD TPKE

TRC

1612 CONCORD TURNPIKE LLC



PROPERTY INFORMATION

PARCEL ID	ADDRESS
04631014	1612 CONCORD TPKE

LEGEND

- Subject Property**
- 215 Foot Buffer**
- B-1**
- B-3**
- B-4**
- B-5**
- R-C**
- I-1**
- I-2**
- I-3**
- IN-1**
- IN-2**
- R-1**
- R-2**
- R-3**
- R-4**

OVERVIEW MAP



MAP SCALE: 1:1,690 DATE PRINTED: 6/9/2025

1612 Concord Tpke

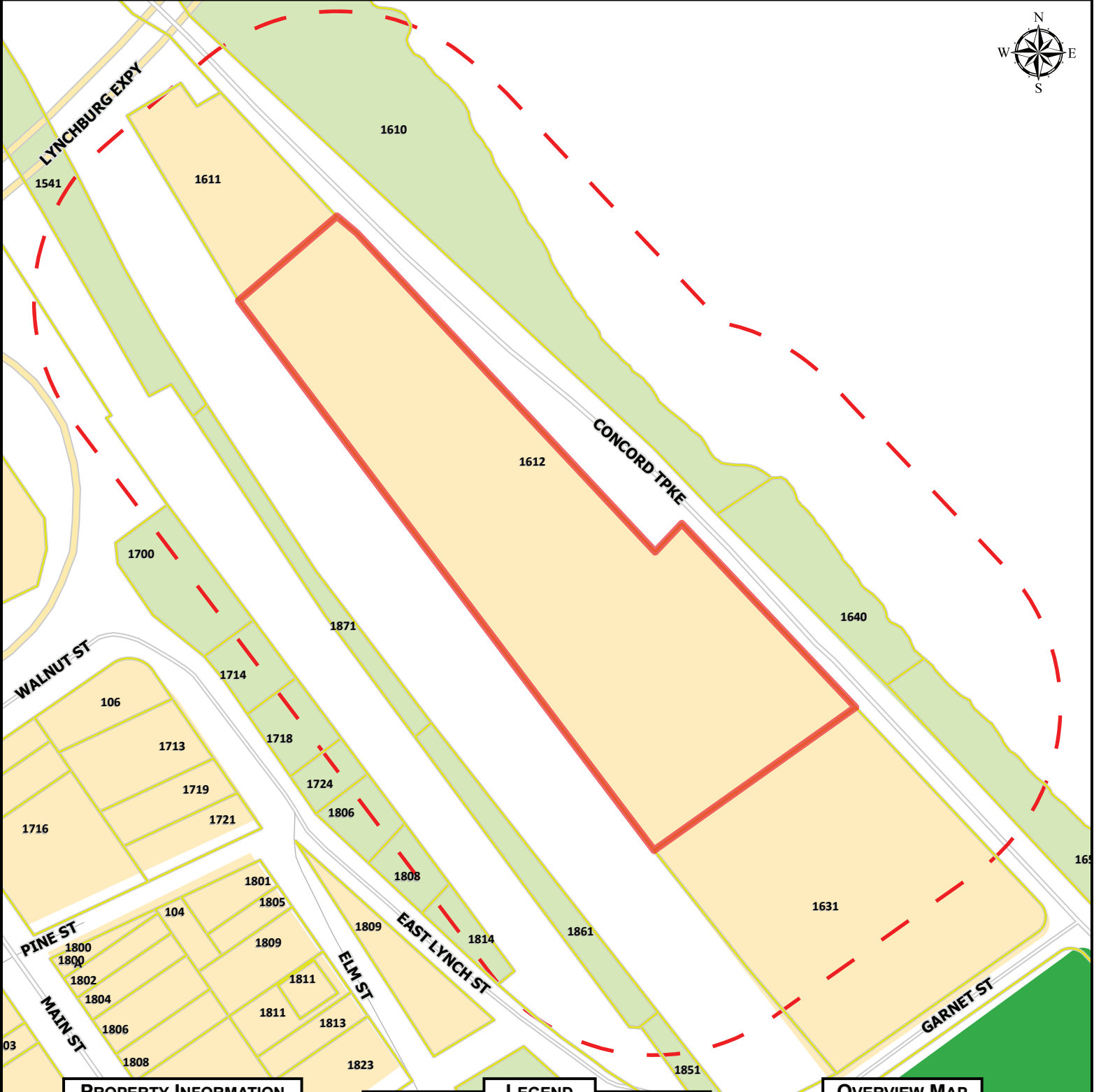
Parcel ID	Address	Owner
28103011	2709 CONCORD TPKE	ASHWELL, DEVIN W
28102022	424 NICKERSON RD	BOONE, CLEMMITEEN S & JAMES
27701003	116 SPINOZA CIR	BURNLEY, SHERMAN D
27701001	2810 CONCORD TPKE	CITY OF LYNCHBURG CITY MANAGER'S OFFICE
28101013	2704 CONCORD TPKE	CITY OF LYNCHBURG CITY MANAGER'S OFFICE
28102001	200 NICKERSON RD	CITY OF LYNCHBURG CITY MANAGER'S OFFICE
28101008	2600 CONCORD TPKE	CITY OF LYNCHBURG CITY MANAGER'S OFFICE
28102010	430 NICKERSON RD	DAWSON, DONNIE L
28102011	426 NICKERSON RD	DAWSON, DONNIE L & CATHY R
27702009	5205 PLEASANT VALLEY RD	DD & D TRUCKING LLC
28102009	2712 CONCORD TPKE	DILLARD, MICHAEL L
28103008	2705 CONCORD TPKE	EARLY, JACQUELINE H
27705001	2807 CONCORD TPKE	HASKINS, DORIS MEGGINSON
28102012	420 NICKERSON RD	HILBER, MAREAN & ROSE
27701002	112 SPINOZA CIR	HOLMES, MARY G
27701013	126 SPINOZA CIR	JACKSON, ODELLA F
28102008	416 NICKERSON RD	MCCOY, CATHERINE ERSSELL
27701014	2828 CONCORD TPKE	MCCOY, CATHERINE S
27701006	436 NICKERSON RD	MCCOY, CATHERINE S
28102023	422 NICKERSON RD	MCCOY, CATHERINE S
27701015	136 SPINOZA CIR	MEGGINSON, LORENZO & HAMLER, HENRY & HAMLER, JOHN JR & NELSON, RICHARD
28103009	2711 CONCORD TPKE	PHAM, DANIEL
27701005	120 SPINOZA CIR	REILLY, BRIAN M
27701004	118 SPINOZA CIR	REILLY, BRIAN M
28103010	5235 TYREEANNA RD	SIS, IXPATAC WILMER R AND SANTOS, KATHERINNE J CERNA
27701008	414 NICKERSON RD	STEPHENS, WILLI P & SYBIL
27706001	5225 TYREEANNA RD	TYREEANNA CHAPEL INC

FLUM

1612 CONCORD TPKE

TRC

1612 CONCORD TURNPIKE LLC



PROPERTY INFORMATION

PARCEL ID	ADDRESS
04631014	1612 CONCORD TPKE

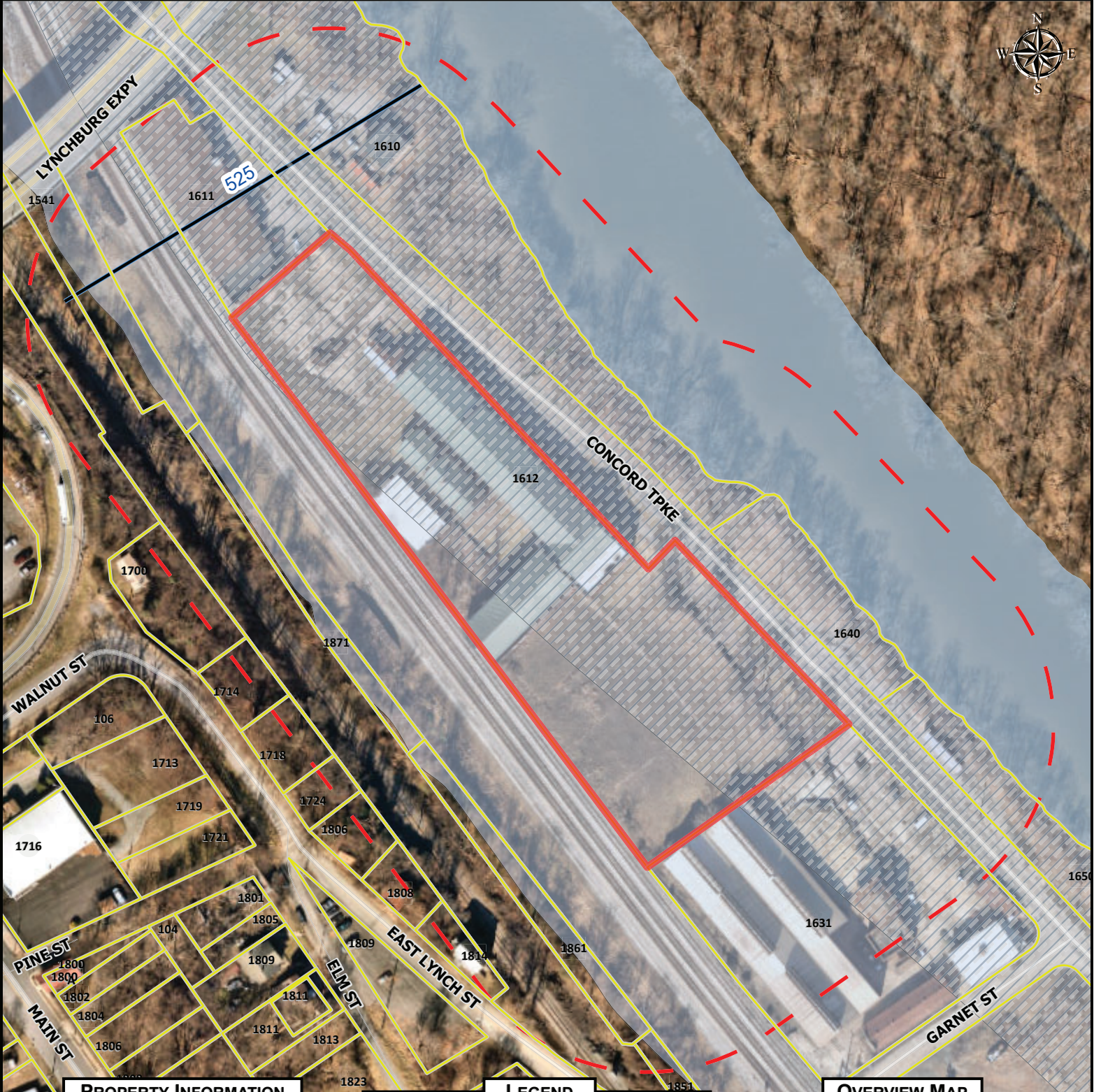
LEGEND

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

OVERVIEW MAP



MAP SCALE: 1:1,690 DATE PRINTED: 6/9/2025



PROPERTY INFORMATION

PARCEL ID	ADDRESS
04631014	1612 CONCORD TPKE

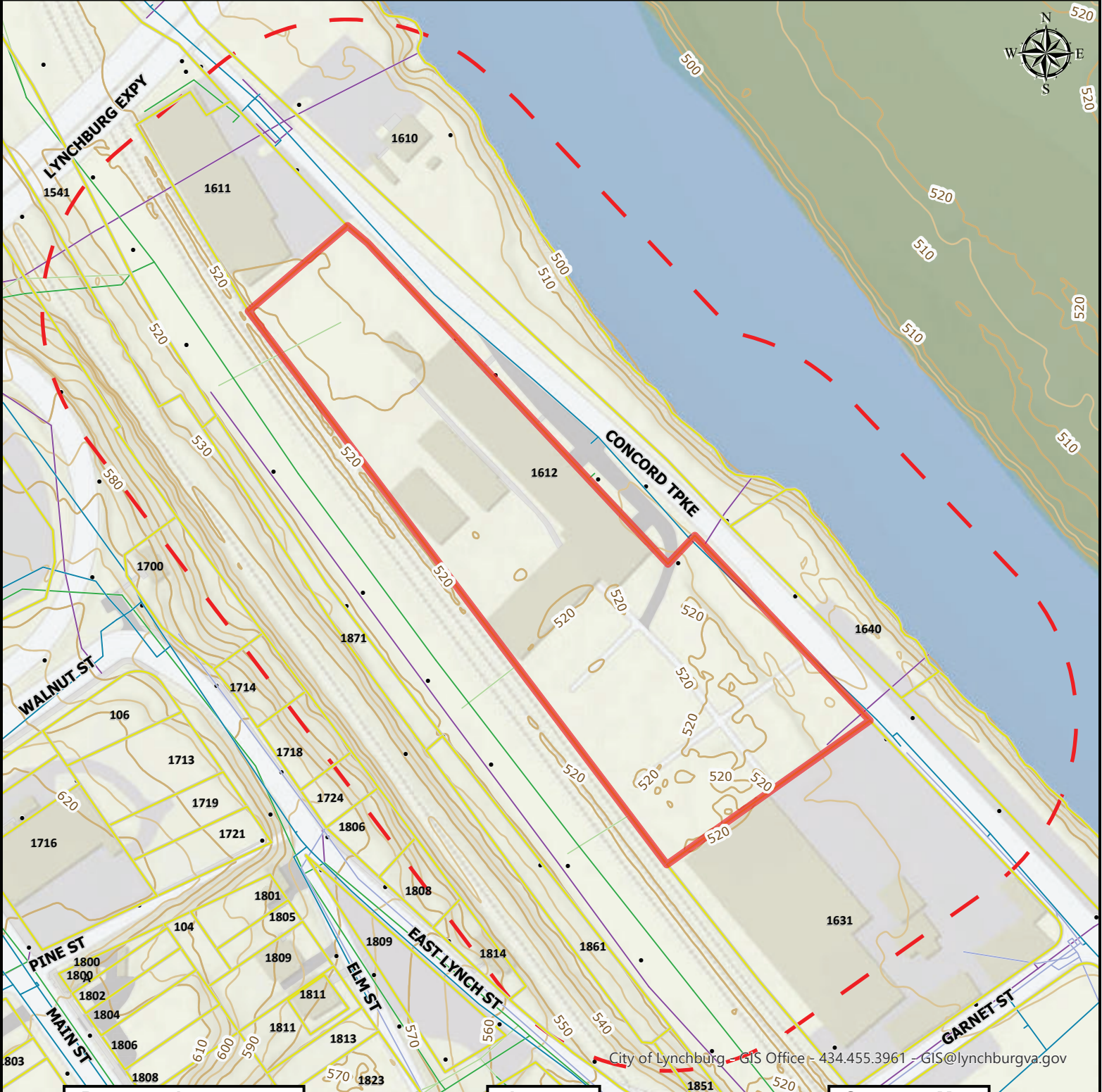
LEGEND

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

OVERVIEW MAP



MAP SCALE: 1:1,690 DATE PRINTED: 6/9/2025



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

PROPERTY INFORMATION

PARCEL ID	ADDRESS
04631014	1612 CONCORD TPKE

LEGEND

	Active	Proposed	Abandoned
Utilities	Water (solid blue)	Sanitary (dashed green)	Storm (dashed purple)
Planimetrics	Structure (solid grey)	Roadway (solid brown)	Parking (solid light grey)
	Sidewalk (dashed grey)	Driveway (dashed light grey)	
Topography	Contour 100'	Contour 20'	Contour 5'
	Contour 50'	Contour 10'	Contour 1'

OVERVIEW MAP



MAP SCALE: 1:1,690 DATE PRINTED: 6/9/2025



January 29, 2026

To: City of Lynchburg
900 Church Street
Lynchburg, VA 24505

Re: 1612 Concord Turnpike Proposed Re-zoning Narrative

This application is for a requested rezoning of the parcel at 1612 Concord Turnpike from I-3 (heavy industrial to B-4, Urban Commercial). This rezoning will allow for the adaptive reuse of the existing historic structures on the parcel in a manner that meets market demands by constructing a mix of hotel and/or apartment rooms on the upper level of the structure and commercial spaces, including a fitness gym, a restaurant and some event spaces, as well as the potential for other tenants.

The existing structures at 1612 Concord Turnpike are historic tobacco warehouses, built originally between 1899 and 1907, that have been vacant for over a decade. They were first built by RC Stokes Leaf Tobacco in 1899. By 1907, the buildings had been expanded and taken over by the American Snuff Company and served as the Lynchburg Leaf Department. According to the 1907 Sanborn Map, the main building was largely used for the processing and storage of tobacco leaves, while the smaller building closest to it served as the boiler and provided the necessary heat and power to the warehouse. Finally, the smaller building closest to the railroad tracks was the cooper shop for the complex. According to the 1951 and 1955 Sanborn maps, two large storage warehouses were present to the southeast of the main structure covering a large portion of the parcel, where the slabs are still largely present. When the current owner purchased the property, these structures were not included in a historic district, but the owner engaged Dutton and Associates to document the historic status and in 2023, the buildings were listed in an expansion of the Lower Basin Historic Districts and now are listed as contributing structures and are eligible for State and Federal Historic Tax Credits.

The existing zoning for the parcels is I-3 (Heavy Industrial) and the current Future Land Use Map Designation is Downtown. The parcel is also entirely in the flood zone, and a large portion is also in the current floodway of the James River.

The current I-3 zoning severely limits the development potential of the existing historic structures, which need significant repairs. The demand for industrial uses within historic structures is minimal, most new tenants of by-right uses would require new, modern buildings with clear spans and taller ceilings on the ground floor while not being able to use the upper floor to its full capacity.

The downtown future land use designation encompasses the central commercial core of the City and appropriately contains a mix of retail, entertainment, restaurant, office, employment, residential, public, park and institutional uses. The area should retain its urban character and demolition of historic buildings and rection of suburban style, low-density/intensity development is inappropriate.

The site currently sits largely in the floodway and entirely in the flood zone, however FEMA has published preliminary draft updated flood maps as of the fall of 2024 which change the floodway to be completely



outside of this parcel. While the process of updating this status is ongoing and the timeline for its completion is undetermined, it is a relevant data point in our project team's process.

While the B-4 zoning would not require any on-street parking, there is plenty of surface area on the lot to provide more than adequate parking for the proposed uses as shown on the included conceptual site plans.

Taking all of this into account, rezoning the parcel from I-3 to B-4, is in our project team's view, the best way to return these historic structures to active uses which will positively impact Downtown Lynchburg by bringing additional business to the area and restoring a long-vacant, deteriorating structure.

Casey Servis

Architect, Servis Architecture Co

1612 CONCORD TURNPIKE, LLC.

1612 CONCORD TURNPIKE LYNCHBURG, VA FEBRUARY 27, 2026

GENERAL NOTES

NOTES:

1. THIS PLAN WAS PREPARED AT THE REQUEST OF 1612 CONCORD TURNPIKE, LLC.
2. NO DELINEATION OF WETLANDS WAS REQUESTED OR MADE AS PART OF THIS PLAN.
3. BY GRAPHIC SCALING ONLY, THIS PROPERTY AS PLATTED FALLS WITHIN THE FLOOD ZONE "AE" AS DETERMINED BY FEMA AND SHOWN ON THEIR MAP NUMBER 510930042D BEARING AN EFFECTIVE DATE OF JUNE 3, 2008. THIS PROPERTY ALSO FALLS ON THE DESIGNATED FLOODWAY.
4. THIS EXISTING CONDITIONS PLAN WAS PREPARED FROM AN ACTUAL AND CURRENT FIELD SURVEY MADE UNDER MY SUPERVISION AND COMPLIES WITH THE MINIMUM STANDARDS AND PROCEDURES ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS AND LANDSCAPE ARCHITECTS TO THE BEST OF MY KNOWLEDGE AND BELIEF.
5. THIS PROPERTY IS ZONED I-3 HEAVY INDUSTRIAL.
6. THIS PARCEL WILL BE SERVED BY CITY OF LYNCHBURG WATER AND SANITARY SEWER.
7. EXISTING UTILITIES ARE SHOWN AT APPROXIMATE LOCATIONS. CONTRACTOR IS RESPONSIBLE FOR VERIFYING EXACT LOCATION AND DEPTHS PRIOR TO CONSTRUCTION.
8. THE CONTRACTOR SHALL CONTACT THE CITY ENVIRONMENTAL REVIEWER, THE CITY CONSTRUCTION COORDINATOR, AND MISS UTILITY (811) AT LEAST 48 HOURS PRIOR TO ANY CONSTRUCTION OR EXCAVATION ACTIVITY AND ADVISE THE NATURE AND LOCATION OF WORK.
9. NO SITE WORK, LOGGING, GRUBBING OR GRADING IS PERMITTED PRIOR TO THE ISSUANCE OF A LAND DISTURBANCE PERMIT.
10. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH THE CURRENT EDITION OF THE CITY OF LYNCHBURG MANUAL OF SPECIFICATIONS AND STANDARD DETAILS.
11. THE LIMITS OF CLEARING AND GRADING AND ALL CRITICAL AREAS SHOULD BE CLEARLY MARKED/LAGGED IN THE FIELD PRIOR TO THE PRE-CONSTRUCTION CONFERENCE.
12. THE CONTRACTOR SHALL BE FULLY LIABLE FOR ANY DAMAGES TO PUBLIC OR PRIVATE PROPERTY CAUSED BY CONSTRUCTION OPERATION AND SHALL RESTORE DAMAGED PROPERTY TO EXISTING OR BETTER CONDITION AT NO ADDITIONAL COST TO THE OWNER.
13. ALL GRASSED AREAS DISTURBED BY CONSTRUCTION SHALL BE SEEDED AND PROTECTED WITH EROSION CONTROL PRACTICES AND AS SHOWN ON THE PLAN HEREIN.
14. VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROL DEVICES SHALL BE CONSTRUCTED AND MAINTAINED FOR ALL DISTURBED AREAS IN ACCORDANCE WITH ALL LOCAL REQUIREMENTS AND THE LATEST EDITION OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK. ALL EROSION AND SEDIMENT CONTROL DEVICES SHALL BE INSTALLED BEFORE EXCAVATION BEGINS.
15. THE CONTRACTOR SHALL REPLACE ALL DISTURBED SURFACES IN KIND, INCLUDING PAVEMENT, STONE, DITCHES, MAILBOXES, SHRUBS, ETC. AND/OR AS SHOWN ON THIS PLAN.
16. ALL PROPERTY PINS DISTURBED DURING CONSTRUCTION SHALL BE REPLACED BY A LICENSED LAND SURVEYOR.
17. HORIZONTAL CONTROL IS BASED ON NAV 83 VA SOUTH ZONE. VERTICAL CONTROL IS BASED ON NAVD88 GEOID 18.
18. MAINTAIN OVERHEAD AND UNDERGROUND ELECTRICAL, TELEPHONE, AND GAS SERVICES AND ALL OTHER UNDERGROUND UTILITIES DURING ENTIRE CONSTRUCTION PERIOD. OUTAGES WILL NOT BE ALLOWED. SHOULD OUTAGES BECOME NECESSARY, CONTACT THE ENGINEER OF RECORD IMMEDIATELY.
19. ANY SITEWORK AND DETAILS NOT COVERED BY THESE PLANS OR THE CITY OF LYNCHBURG MANUAL OF SPECIFICATIONS AND STANDARD DETAILS SHALL CONFORM TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION'S ROAD AND BRIDGE SPECIFICATIONS, CURRENT EDITIONS.
20. THIS ENGINEER AND/OR SURVEYOR TAKES NO RESPONSIBILITY FOR THE LOCATION OR ACCURACY OF THE UTILITIES AS SHOWN HEREIN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING THE UTILITY COMPANIES TO SEE IF ANY UTILITIES EXIST WITHIN THE PROJECT AREA BEFORE CONSTRUCTION BEGINS. ANY COST INCURRED BY DAMAGING ANY UTILITY WITHIN THE PROJECT SHALL BE AT THE EXPENSE OF THE CONTRACTOR.
21. WATER SERVICE CONNECTIONS SHALL NOT BE USED FOR DEMOLITION, CONSTRUCTION, OR LANDSCAPING PURPOSES UNTIL THE APPROPRIATE RPTZ/RPOA'S HAVE BEEN INSTALLED AND APPROVED AND A PASSING TEST HAS BEEN SUBMITTED TO THE DEPARTMENT OF WATER RESOURCES. THIS INCLUDES NEW AND EXISTING WATER SERVICE CONNECTIONS, AS WELL AS TEMPORARY AND PERMANENT WATER SERVICE CONNECTIONS.
22. EACH HANDICAP SPACE SHALL HAVE AN ABOVE GRADE SIGN INSTALLED AS SHOWN.
23. ALL LIGHTING SHALL BE SHIELDED, NON-GLARE TYPE LIGHTING AND SHALL NOT EXCEED ZERO CANDLEPOWER AT THE PROPERTY LINES.
24. ALL CONNECTIONS TO PUBLIC WATER SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF LYNCHBURG MANUAL OF SPECIFICATIONS AND STANDARD DETAILS, LATEST EDITION.
25. IF DURING DEMOLITION OR CONSTRUCTION, ANY DISCREPANCIES ARE NOTED WITH REGARD TO ANY PUBLIC WATER SERVICE CONNECTION, THE DEPARTMENT OF WATER RESOURCES SHALL BE NOTIFIED. THIS INCLUDES, BUT IS NOT LIMITED TO; CONNECTIONS WHICH NEED TO BE ADDED, ABANDONED, CHANGED, OR RELOCATED.
26. ALL EXPOSED SOILS SHALL BE PERMANENTLY SEEDED AND STABILIZED IN ACCORDANCE WITH VIRGINIA ERS REGULATIONS IMMEDIATELY AFTER REACHING FINISHED GRADE. FINISHED GRADE IS FINAL GRADE OF THE SITE AFTER EXCAVATING OR FILLING WHICH CONFORMS TO THE APPROVAL FINAL GRADING PLAN. THE FINISH GRADE IS ALSO THE GRADE AT THE TOP OF A PAVED SURFACE.
27. APPROXIMATE EARTH QUANTITIES MAY DIFFER FROM ACTUAL CONDITIONS AND THE CONTRACTOR SHALL ENSURE PROPER SHRINK FACTORS.
28. SOIL MATERIALS SHALL BE FREE OF DEBRIS, ROOTS, WOOD, SCRAP MATERIAL, VEGETATION, REFUSE, SOFT UNSOUND PARTICLES, AND FROZEN DELETERIOUS OR OBJECTIONABLE MATERIALS. THE MAXIMUM PARTICLE DIAMETER SHALL BE ONE-HALF THE LIFT THICKNESS. COMMON FILL MATERIAL SHALL BE UNCLASSIFIED SOIL MATERIAL WITH THE CHARACTERISTICS REQUIRED TO COMPACT TO THE SOIL DENSITY SPECIFIED FOR THE INTENDED LOCATION. BACKFILL AND FILL MATERIAL: ASTM D 2487, CLASSIFICATION GW, GP, SW, SP WITH A MAXIMUM OF 10 PERCENT BY WEIGHT PASSING ASTM D 1140, NO. 200 SIEVE.
29. THIS PROJECT WILL MEET ALL REQUIREMENTS FOR THE CITY OF LYNCHBURG'S FLOODPLAIN MANAGEMENT REQUIREMENTS FOR BOTH SITE DEVELOPMENT AND BUILDING CODE REQUIREMENTS.



VICINITY MAP
SCALE: NTS

DRAWING INDEX

- SHEET 1 OF 2: COVER SHEET
SHEET 2 OF 2: SITE LAYOUT & LANDSCAPE PLAN

GENERAL INFORMATION

SITE DATA:

OWNER INFORMATION:

NAME: 1612 CONCORD TURNPIKE, LLC.
ADDRESS: 2600 MEMORIAL AVENUE, STE LL1
LYNCHBURG, VA 24501

DESIGNER INFORMATION:

NAME: ACCUPOINT SURVEYING & DESIGN, LLC
ADDRESS: 104 VISTA CENTRE DR
FOREST, VA 24551

PROJECT DESIGNER: AMY K. IGARTA-SEPP, PE
REGISTRATION NUMBER: 0402 036952
PHONE: 434-810-4334
E-MAIL ADDRESS: ASEPP@ACCUPOINTSURVEYING.COM

SOURCE OF SURVEY: ACCUPOINT SURVEYING & DESIGN, LLC

SOURCE OF TOPOGRAPHY: CITY OF LYNCHBURG

COUNTY/CITY, STATE: LYNCHBURG, VIRGINIA

TAX MAP REFERENCES: 04631014

DOCUMENT #: 170002679

ACREAGE: 3.281 ACRES

EXISTING ZONING: I-3 HEAVY INDUSTRIAL

PROPOSED ZONING: B-4 URBAN COMMERCIAL

EXISTING PROPERTY USE: VACANT BUILDING(S)

PROPOSED PROPERTY USE: EVENT SPACE (1ST FLOOR), HOTEL AND/OR APARTMENTS: 50 - 75 UNITS, RESTAURANT, POOL, (2ND FLOOR), AND GYM, WITH ASSOCIATED PARKING
FRONT SETBACK = 0' (NOT REQUIRED)
SIDE INTERIOR = 0' (NOT REQUIRED)
SIDE EXTERIOR = 0' (NOT REQUIRED)
REAR SETBACK = 0' (NOT REQUIRED)

SETBACK:

"I HEREBY CERTIFY THAT, TO THE BEST OF MY ABILITY, THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE LATEST CITY OF LYNCHBURG MANUAL OF SPECIFICATIONS AND STANDARD DETAILS AND CITY CODE."
SIGNATURE: *Amy K. Igarta-Sepp* REGISTRATION NUMBER: 0402 036952
PRINTED NAME & TITLE: AMY K. IGARTA-SEPP, PRINCIPAL ENGINEER DATE: FEBRUARY 27, 2026

"I/WE HEREBY CERTIFY THAT ALL SITE CONSTRUCTION, DRAINAGE, AND GRADING WILL BE DONE PURSUANT TO THIS PLAN AND THAT THE APPLICABLE STORMWATER MANAGEMENT CONDITIONS AND REQUIREMENTS OF THE CITY OF LYNCHBURG, THE COMMONWEALTH OF VIRGINIA AND THE FEDERAL GOVERNMENT AND ITS AGENCIES ARE HEREBY MADE PART OF THIS PLAN.

SIGNATURE: _____ TITLE: _____
PRINTED NAME: _____ DATE: _____

ESC: _____ TITLE: _____

CITY ENGINEER: _____ TITLE: _____

WATER RESOURCES UTILITIES ENGINEER: _____ TITLE: _____

PROJECT NAME & LOCATION: 1612 CONCORD TURNPIKE, LLC.
1612 CONCORD TURNPIKE - LYNCHBURG, VA 24504

IF BORROW MATERIAL IS REQUIRED FOR SITE GRADING, CONTRACTOR WILL SUBMIT DOCUMENTS IDENTIFYING THE APPROVED OFF-SITE LOCATION FROM WHICH MATERIAL WILL BE OBTAINED.



Know what's below.
Call before you dig.
MISS UTILITY TICKET NUMBER:
TBD



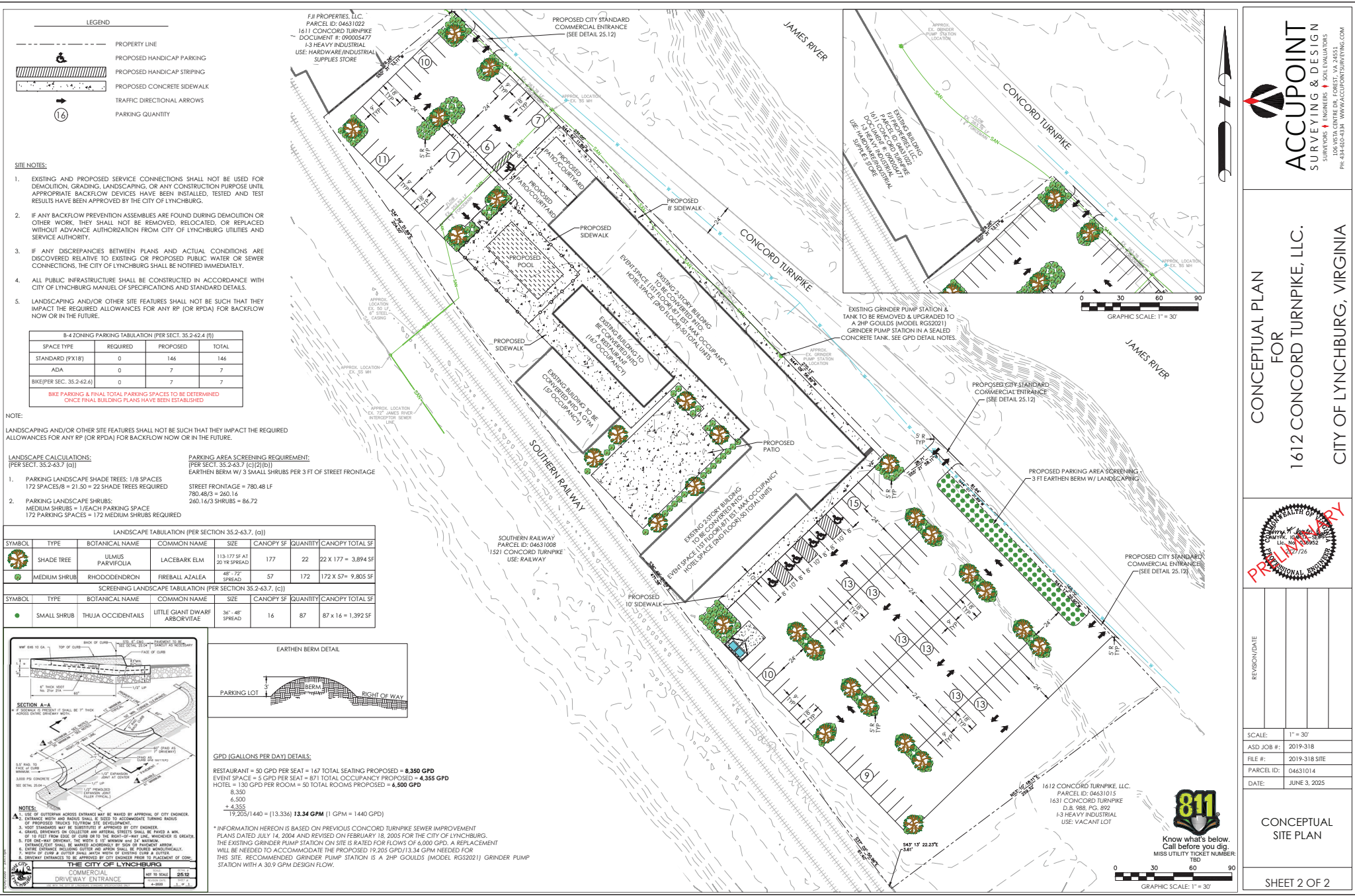
CONCEPTUAL PLAN
FOR
1612 CONCORD TURNPIKE, LLC.
CITY OF LYNCHBURG, VIRGINIA



REVISION/DATE			
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ASD JOB #:	2019-318
FILE #:	2019-318 SITE
PARCEL ID:	04631014
DATE:	JUNE 11, 2025

COVER SHEET
SHEET 1 OF 2



LEGEND

- PROPERTY LINE
- PROPOSED HANDICAP PARKING
- PROPOSED HANDICAP STRIPING
- PROPOSED CONCRETE SIDEWALK
- TRAFFIC DIRECTIONAL ARROWS
- PARKING QUANTITY

- SITE NOTES:**
- EXISTING AND PROPOSED SERVICE CONNECTIONS SHALL NOT BE USED FOR DEMOLITION, GRADING, LANDSCAPING, OR ANY CONSTRUCTION PURPOSE UNTIL APPROPRIATE BACKFLOW DEVICES HAVE BEEN INSTALLED, TESTED AND TEST RESULTS HAVE BEEN APPROVED BY THE CITY OF LYNCHBURG.
 - IF ANY BACKFLOW PREVENTION ASSEMBLIES ARE FOUND DURING DEMOLITION OR OTHER WORK, THEY SHALL NOT BE REMOVED, RELOCATED, OR REPLACED WITHOUT ADVANCE AUTHORIZATION FROM CITY OF LYNCHBURG UTILITIES AND SERVICE AUTHORITY.
 - IF ANY DISCREPANCIES BETWEEN PLANS AND ACTUAL CONDITIONS ARE DISCOVERED RELATIVE TO EXISTING OR PROPOSED PUBLIC WATER OR SEWER CONNECTIONS, THE CITY OF LYNCHBURG SHALL BE NOTIFIED IMMEDIATELY.
 - ALL PUBLIC INFRASTRUCTURE SHALL BE CONSTRUCTED IN ACCORDANCE WITH CITY OF LYNCHBURG MANUAL OF SPECIFICATIONS AND STANDARD DETAILS.
 - LANDSCAPING AND/OR OTHER SITE FEATURES SHALL NOT BE SUCH THAT THEY IMPACT THE REQUIRED ALLOWANCES FOR ANY RP (OR RPA) FOR BACKFLOW NOW OR IN THE FUTURE.

B-4 ZONING PARKING TABULATION (PER SECT. 35.2-62.4 (f))

SPACE TYPE	REQUIRED	PROPOSED	TOTAL
STANDARD (FX18)	0	146	146
ADA	0	7	7
BIKE (PER SEC. 35.2-62.4)	0	7	7

Bike parking & final total parking spaces to be determined once final building plans have been established.

NOTE: LANDSCAPING AND/OR OTHER SITE FEATURES SHALL NOT BE SUCH THAT THEY IMPACT THE REQUIRED ALLOWANCES FOR ANY RP (OR RPA) FOR BACKFLOW NOW OR IN THE FUTURE.

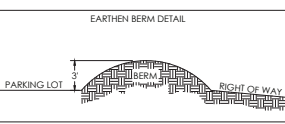
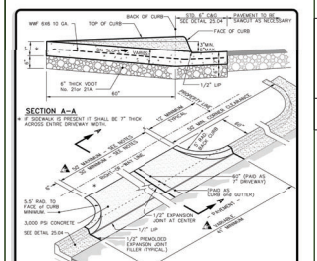
- LANDSCAPE CALCULATIONS:** (PER SECT. 35.2-63.7 (a))
- PARKING LANDSCAPE SHADE TREES: 1/8 SPACES
172 SPACES/8 = 21.50 = 22 SHADE TREES REQUIRED
 - PARKING LANDSCAPE SHRUBS:
MEDIUM SHRUBS = 1/EACH PARKING SPACE
172 PARKING SPACES = 172 MEDIUM SHRUBS REQUIRED
- PARKING AREA SCREENING REQUIREMENT:** (PER SECT. 35.2-63.7 (c)(2)(D))
EARTHEN BERM W/ 3 SMALL SHRUBS PER 3 FT OF STREET FRONTAGE
- STREET FRONTAGE = 780.48 LF
780.48/3 = 260.16
260.16/3 SHRUBS = 86.72

LANDSCAPE TABULATION (PER SECTION 35.2-63.7, (a))

SYMBOL	TYPE	BOTANICAL NAME	COMMON NAME	SIZE	CANOPY SF	QUANTITY	CANOPY TOTAL SF
	SHADE TREE	BELMUS PARVIFOLIA	LACEBARK ELM	115-177 SF AT 20' W/ SPREAD	177	22	22 X 177 = 3,894 SF
	MEDIUM SHRUB	RHODODENDRON	FIREBALL AZALEA	48" - 72" SPREAD	57	172	172 X 57 = 9,803 SF

SCREENING LANDSCAPE TABULATION (PER SECTION 35.2-63.7, (c))

SYMBOL	TYPE	BOTANICAL NAME	COMMON NAME	SIZE	CANOPY SF	QUANTITY	CANOPY TOTAL SF
	SMALL SHRUB	THUJA OCCIDENTALIS	LITTLE GIANT DWARF ARBORVITAE	36" - 48" SPREAD	16	87	87 X 16 = 1,392 SF



GPD (GALLONS PER DAY) DETAILS:

RESTAURANT = 50 GPD PER SEAT = 167 TOTAL SEATING PROPOSED = **8,350 GPD**
 EVENT SPACE = 5 GPD PER SEAT = 871 TOTAL OCCUPANCY PROPOSED = **4,355 GPD**
 HOTEL = 150 GPD PER ROOM = 50 TOTAL ROOMS PROPOSED = **7,500 GPD**
 8,350 + 4,355 + 7,500 = **20,205 GPD**
 20,205/1440 = (13.336) **13.34 GPM** (1 GPM = 1440 GPD)

NOTES:

- USE OF CUTTERPAN ACROSS ENTRANCE MAY BE WAIVED BY APPROVAL OF CITY ENGINEER. CONSIDER WIDTH AND BASED THEREON TO ACCURATELY FORMING BASIS OF PROPOSED TRUCKS TO FROM THE DEVELOPMENT.
- TRUCK STAKES MAY BE SUBSTITUTED BY APPROVED BY CITY ENGINEER.
- GRAVEL DRIVEWAYS OR COLLECTION ANTERIAL STREETS SHALL BE PAVED A MIN. 1/2" TO 1" DEEP FROM CURB OR GUTTER TO THE RIGHT-OF-WAY LINE. IMPROVEMENT IS GREATER.
- ENTRANCE CURB SHALL BE MARKED ACCORDING TO SIGN OF PAVEMENT ARROWS.
- ENTRANCE DRIVEWAY SHALL BE APPROVED BY CITY ENGINEER FROM THE REQUIREMENT OF CODE.
- WIDTH OF CURB & GUTTER SHALL MATCH WIDTH OF EXISTING CURB & GUTTER.
- ENTRANCE DRIVEWAY TO BE APPROVED BY CITY ENGINEER FROM THE REQUIREMENT OF CODE.

INFORMATION HEREON IS BASED ON PREVIOUS CONCORD TURNPIKE SEWER IMPROVEMENT PLANS DATED JULY 14, 2004 AND REVISED ON FEBRUARY 18, 2005 FOR THE CITY OF LYNCHBURG. THE EXISTING GRINDER PUMP STATION ON SITE IS RATED FOR FLOWS OF 6,000 GPD. A REPLACEMENT WILL BE NEEDED TO ACCOMMODATE THE PROPOSED 19,205 GPD/13.34 GPM NEEDED FOR THIS SITE. RECOMMENDED GRINDER PUMP STATION IS A 2HP GOULDS (MODEL RGS2021) GRINDER PUMP STATION WITH A 30.9 GPM DESIGN FLOW.

THE CITY OF LYNCHBURG
 COMMERCIAL DRIVEWAY ENTRANCE
 REF TO SCALE: 25:12
 DATE: 6-20-25

ACCUPOINT
 SURVEYING & DESIGN
 SURVEYORS • ENGINEERS • SOIL EVALUATORS
 PH: 434-810-4338 WWW.ACCUPOINTSURVEYING.COM

CONCEPTUAL PLAN FOR 1612 CONCORD TURNPIKE, LLC. CITY OF LYNCHBURG, VIRGINIA



REVISION/DATE	
SCALE:	1" = 30'
ASD JOB #:	2019-318
FILE #:	2019-318 SITE
PARCEL ID:	04631014
DATE:	JUNE 3, 2025

811
 Know what's below. Call before you dig. MISS UTILITY TICKET NUMBER: TBD

CONCEPTUAL SITE PLAN
 SHEET 2 OF 2



AGENDA ITEM SUMMARY

MEETING DATE

June 23, 2026

PRESENTED BY

William Martin, Community Development
Director

AGENDA ITEM # III.2

City Code Amendment Section 16.1-18 (Erosion & Stormwater Management Fees)

RECOMMENDATION

Approval of the state levied fees.

SUMMARY

The City of Lynchburg owns and operates a separate storm sewer system that discharges to surface waters such as Blackwater Creek, Fishing Creek, or the James River. This system, otherwise known as a municipal separate storm sewer system (MS4), is regulated by the State under the Phase II MS4 General Permit for the discharges from the storm sewer system. As a MS4 permit holder, the city is mandated to adopt and charge fees as set by the State. On November 13, 2025, the State Water Control Board approved an amendment to the Virginia Erosion and Stormwater Management Program (VESMP) regulations authorizing an increase in construction stormwater and MS4 fees.

The Virginia Department of Environmental Quality (DEQ) adopted the fee increases effective July 1, 2026. The fees are to cover costs associated with implementation of the VESMP related to land-disturbing activities and issuance of general permit coverage. Such fee attributes include the costs associated with plan review, VESMP registration statement review, permit issuance, state-coverage verification, inspections, reporting, and compliance activities associated with land-disturbing activities as well as state program oversight costs.

Beyond the increase in fees, DEQ is also requiring a larger portion of the fee be appropriated to them. Currently, the City retains 72% of the total fee and remits 28% of the fee to DEQ. The fee allocation will be adjusted to the City retaining 70% and remitting 30% to DEQ.

PRIOR ACTION(S)

July 1, 2014: City Council adopted the current fee schedule

FISCAL IMPACT

Each tier of the permit issuance fee schedule is increasing in the range of 49%-55%. Since the City will retain 70% of the total fee paid, the revenue will increase in the range of 45%-51% on stormwater permit issuance fees. These fees are used to cover staff costs associated with the inspection, plan review and administration elements of the program.

CONTACT(S)

Kevin Henry, Zoning Administrator
William Martin, Community Development Director

ATTACHMENT(S)

1. VSMP ordinance amendments

REVIEWED BY



William Martin, Community Development Director

Date: June 16, 2026



Kent White, Assistant City Manager

Date: June 16, 2026



Alicia Finney-Andrews, Clerk of Council

Date: June 18, 2026

Sec. 16.1-18. - Fees.

(a) Fees to cover costs associated with implementation of a VESMP related to land- disturbing activities and issuance of general permit coverage and VESMP authority approvals shall be imposed in accordance with Table 1. [NOTE: Such fee attributes include the costs associated with plan review, VESMP registration statement review, permit issuance, state-coverage verification, inspections, reporting, and compliance activities associated with land-disturbing activities as well as state program oversight costs.] When a site or sites has been purchased for development within a previously permitted common plan of development or sale, the applicant shall be subject to fees ("total fee to be paid by applicant" column) in accordance with the disturbed acreage of their site or sites according to Table 1.

Table 1: Fees for permit issuance

Fee type	Total fee to be paid by applicant (includes both VSMP authority and department portions where applicable)	Department portion of "total fee to be paid by Applicant" (based on 28% <u>30%</u> of total fee paid*)
General/Stormwater Management - Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$ 290 -\$450	\$ 81 \$135
General/Stormwater Management - Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 acre and less than 5 acres)	\$ 2,700 -\$4,100	\$ 756 -\$1,230

Fee type	Total fee to be paid by applicant (includes both VSMP authority and department portions where applicable)	Department portion of "total fee to be paid by Applicant" (based on 28% <u>30%</u> of total fee paid*)
General/Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$ 3,400 -\$5,100	\$ 952 -\$1,530
General/Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$4,500-\$6,800	\$1,260-\$2,040
General/Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$ 6,100 -\$9,100	\$1,708-\$2,730
General/Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of	\$ 9,600 -\$14,300	\$ 2,688 -\$4,290

Fee type	Total fee to be paid by applicant (includes both VSMP authority and department portions where applicable)	Department portion of "total fee to be paid by Applicant" (based on 28% <u>30%</u> of total fee paid*)
development or sale with land disturbance acreage equal to or greater than 100 acres)		

* If the project is completely administered by the department such as may be the case for a state or federal project or projects covered by individual permits, the entire applicant fee shall be paid to the department.

(b) Fees for the modification or transfer of registration statements from the general permit issued by the department shall be imposed in accordance with Table 2. If the general permit modifications result in changes to stormwater management plans that require additional review by the city, such reviews shall be subject to the fees set out in Table 2. The fee assessed shall be based on the total disturbed acreage of the site. In addition to the general permit modification fee, modifications resulting in an increase in total disturbed acreage shall pay the difference in the initial permit fee paid and the permit fee that would have applied for the total disturbed acreage in Table 1.

Table 2: Fees for the modification or transfer of registration statements for the General Permit for Discharges of Stormwater from Construction Activities

Type of Permit	Fee Amount
General/Stormwater Management - Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$20-\$30

Type of Permit	Fee Amount
General/Stormwater Management - Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 acre and less than 5 acres)	\$200 -\$320
General/Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$250 -\$400
General/Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$300 -\$480
General/Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$450 -\$720
General/Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$700 -\$1,120

(c)

The following annual permit maintenance shall be imposed in accordance with Table 3, including fees imposed on expired permits that have been administratively continued. With respect to the general permit, these fees shall apply until the permit coverage is terminated.

Table 3: Permit Maintenance Fees

Type of Permit	Fee Amount
General/Stormwater Management - Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$50 -\$80
General/Stormwater Management - Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance equal to or greater than 1 acre and less than 5 acres)	\$400 -\$650
General/Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$500 -\$800
General/Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$650-\$1,050
General/Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$900 -\$1,450
General/Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater 100 acres)	\$1,400 \$2,250

AGENDA ITEM SUMMARY

MEETING DATE

June 23, 2026

PRESENTED BY

Rachel Frischeisen, City Planner

AGENDA ITEM # III.3

Zoning Ordinance Amendment - Data Centers

RECOMMENDATION

This item will appear for City Council vote on the July 14, 2026, Public Hearing agenda. Approval of the Zoning Ordinance Amendments.

SUMMARY

On September 10, 2025, the Planning Commission directed staff to initiate the process of amending the Zoning Ordinance to regulate data centers. There are currently no data centers located within the City of Lynchburg. Data Centers are currently permitted by right under LBCS 4244, “data processing and management, hosting and related services” in the B-1, Limited Business District, B-3, Community Business District, B-4, Urban Commercial District, B-5, General Business District, IN-2, Institutional District 2, I-1, Restricted Industrial Districts, I-2, Light Industrial Districts, and I-3, Heavy Industrial Districts.

The proposed amendment would remove data centers as a use in the B-1, B-3, B-4, and B-5 districts, and allow them upon approval of a Conditional Use Permit (CUP) in the I-1, I-2, I-3, and IN-2 districts. The amendment includes requirements for information needed as part of the CUP application. The amendment would also set development standards for data centers, including noise limits, maximum height, setbacks, and screening requirements.

PRIOR ACTION(S)

May 27, 2026: The Planning Commission recommended approval (7-0) of the Zoning Ordinance amendments.

April 22, 2026: The Planning Commission held a work session to discuss potential Zoning Ordinance amendments.

September 10, 2025: The Planning Commission directed staff (6-0) to initiate the process of amending the Zoning Ordinance to regulate data centers.

FISCAL IMPACT

N/A

CONTACT(S)

Rachel Frischeisen, City Planner

ATTACHMENT(S)

1. Presentation
2. Summary of Changes and Updated Ordinance Text
3. Planning Commission Minutes - May 26, 2027 - Public Hearing
4. Planning Commission Report - May 26, 2027
5. Planning Commission Minutes - April 22, 2026 - Work Session
6. Planning Commission Minutes - September 10, 2025 - Initiation

REVIEWED BY



William Martin, Community Development Director

Date: June 16, 2026



Kent White, Assistant City Manager

Date: June 16, 2026



Alicia Finney-Andrews, Clerk of Council

Date: June 18, 2026

DATA CENTER ZONING ORDINANCE UPDATES



DATA CENTERS

Data Center : A premises in which the majority of the use is occupied by computers and/or telecommunications and related equipment for processing, storing, or transferring information.

Ancillary utility substations, power generators, and other supporting equipment associated with the primary data center use is also included.

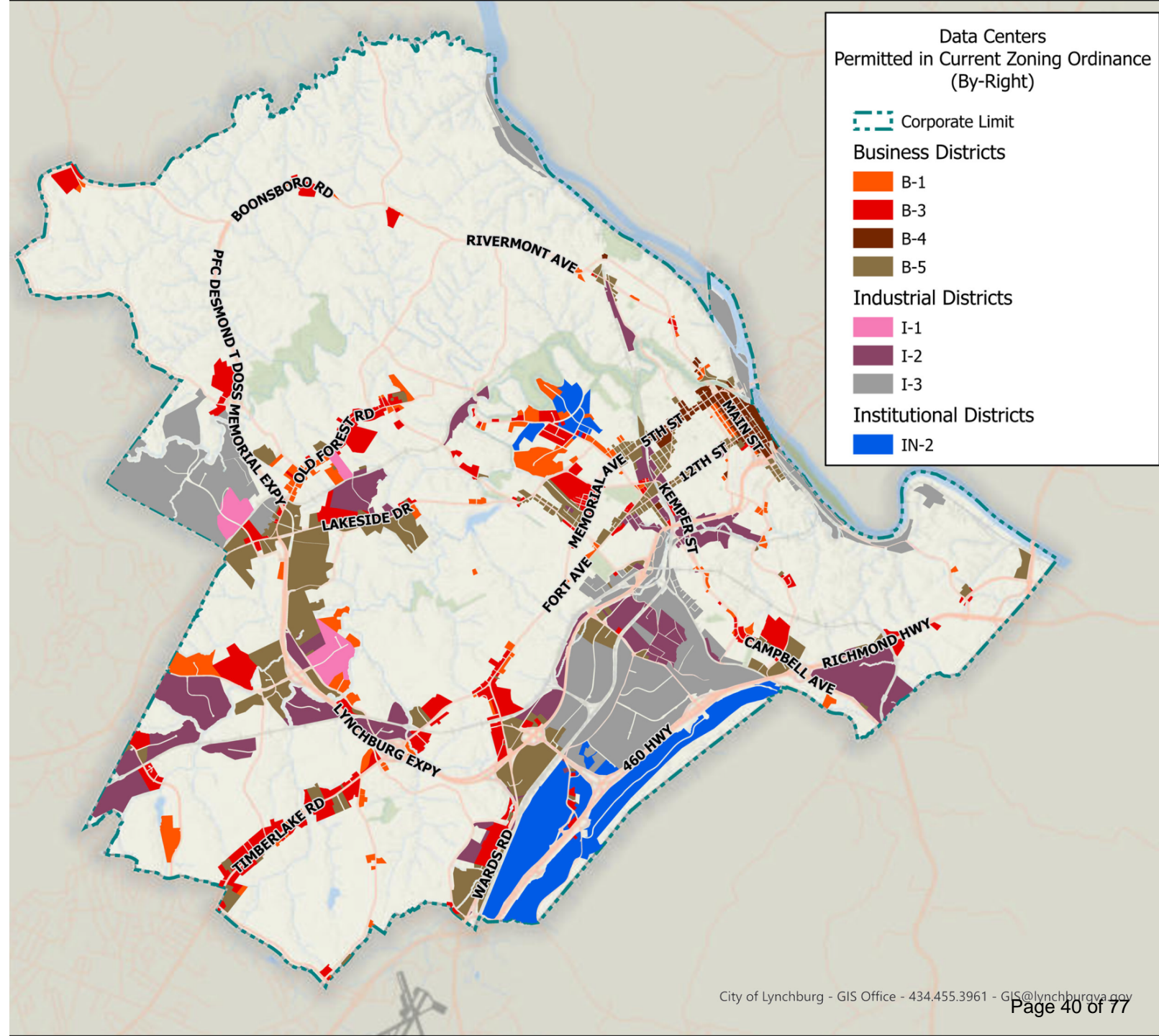
PURPOSE & CONTEXT

- Mitigate impact to residents, surrounding land uses
- Preserve Business Districts for true commercial uses
- **Evaluate data center proposals on a case-by-case basis in Industrial and IN-2, Institutional 2 Districts**
- September 10, 2025: Planning Commission directed staff (6-0) to initiate the process of amending the Zoning Ordinance to regulate data centers.
- April 22, 2026: Planning Commission held a work session to discuss potential Zoning Ordinance amendments.
- May 27, 2026: Planning Commission recommended approval (7-0) of the Zoning Ordinance amendments.



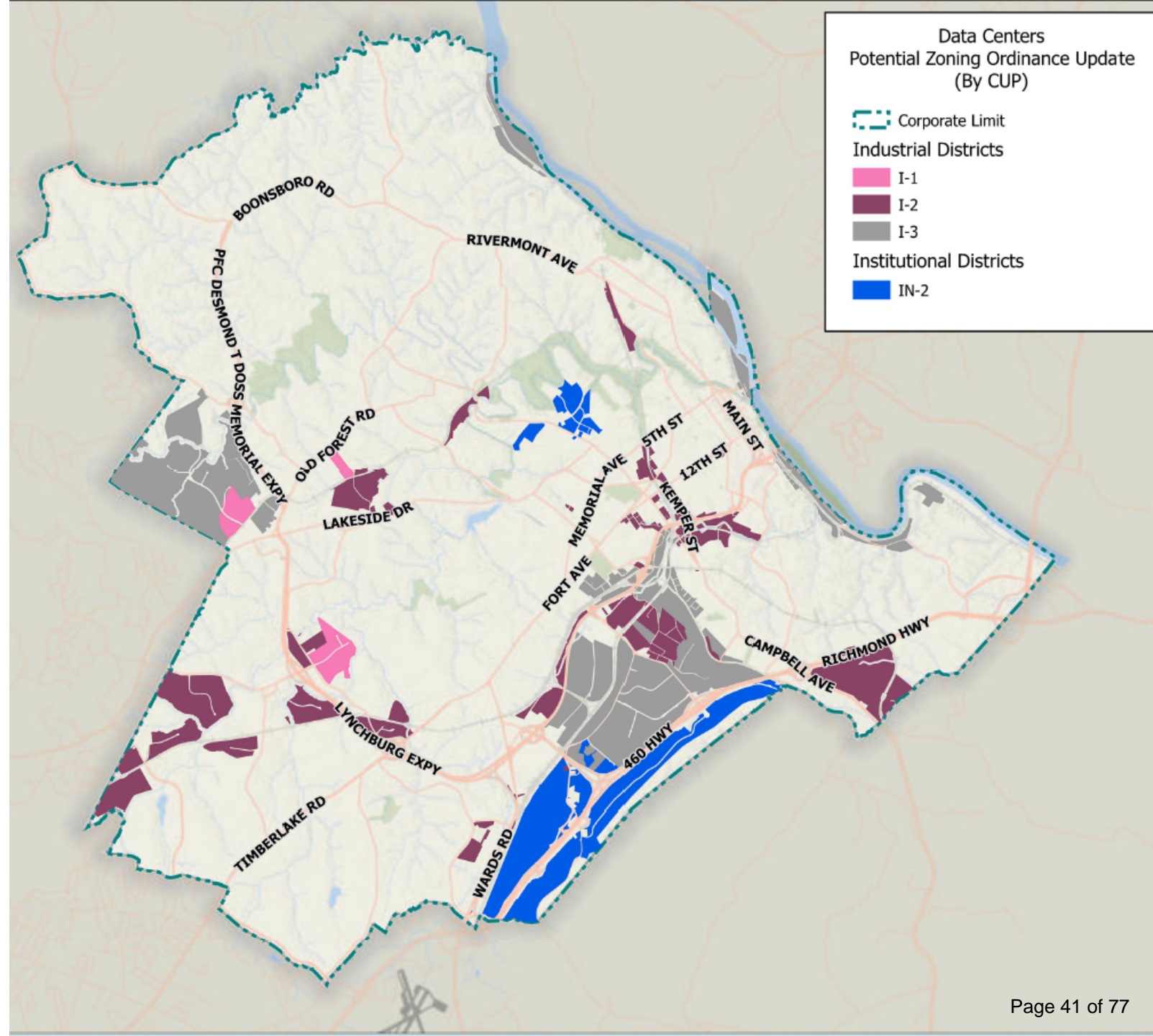
CURRENT CODE

- Use falls under LCBS #4244: “data processing and management, hosting and related services: web hosting, computer data storage, optical scanning, computer input preparation, microfilm imaging”
- Allowed by-right in all business districts, all industrial districts, and IN-2
- No specific land use standards for data centers (ex. extra buffering/setbacks, etc.)



DRAFT UPDATES

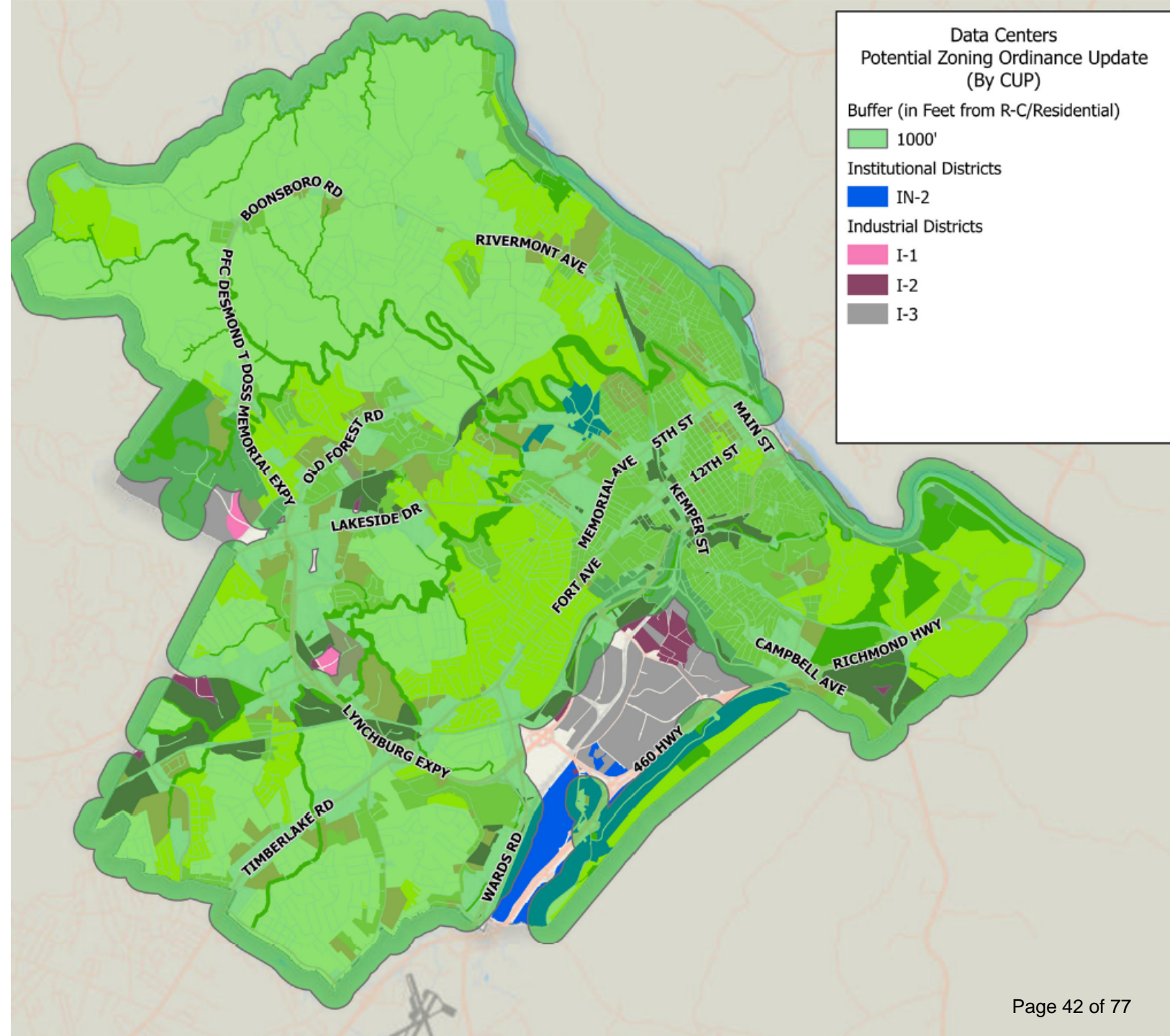
As recommended by Planning Commission, Data Centers shall be a use permitted by Conditional Use Permit in the I-1, I-2, I-3, and IN-2 Districts



DRAFT UPDATES

As recommended by Planning Commission, Data Centers shall be a use permitted by Conditional Use Permit in the I-1, I-2, I-3, and IN-2 Districts.

A 1000' buffer from R-C, R-1, R-2, R-3, and R-4 districts was also recommended.



Data Centers
Potential Zoning Ordinance Update
(By CUP)

Buffer (in Feet from R-C/Residential)
1000'

Institutional Districts
IN-2

Industrial Districts
I-1
I-2
I-3

SUMMARY OF DRAFT UPDATES

- Changes data centers from a by-right use in 8 zoning districts to a Conditional Use Permit in 4 districts
- Sets standards for information to be included as part of a conditional use permit application
- Sets setback and screening requirements
- Sets generator testing timing and noise standards
- Sets noise and noise monitoring standards
- Sets maximum height

May 27, 2026

SUMMARY OF PROPOSED ZONING AMENDMENTS FOR DATA CENTERS

- Section 35.2-113 – Definitions:
 - Define Data Center – p. 9
- Section 35.2-45.2 – Authorized Uses – Exhibit IV-12 Authorized Uses in the B-1 District
 - Amend description of LBCS #4244 (data processing and management, hosting and related services) – p. 42
- Section 35.2-46.2 – Authorized Uses – Exhibit IV-15 Authorized Uses in the B-3 District
 - Amend description of LBCS #4244 (data processing and management, hosting and related services) – p. 53
- Section 35.2-47.2 – Authorized Uses – Exhibit IV-17 Authorized Uses in the B-4 District
 - Amend description of LBCS #4244 (data processing and management, hosting and related services) – p. 68
- Section 35.2-48.2 – Authorized Uses – Exhibit IV-19 Authorized Uses in the B-5 District
 - Amend description of LBCS #4244 (data processing and management, hosting and related services) – p. 83
- Section 35.2-50.2 – Authorized Uses – Exhibit IV-23 Authorized Uses in the IN-2 District
 - Amend description of LBCS #4244 (data processing and management, hosting and related services) – p. 101
 - Add Data Center (LBCS# 4244a) as a use permitted by Conditional Use Permit subject to standards in Section 35.2-72.29 – p. 101
- Section 35.2-51.2 – Authorized Uses – Exhibit IV-24 Authorized Uses in the I-1 District
 - Amend description of LBCS #4244 (data processing and management, hosting and related services) – p. 112
 - Add Data Center (LBCS# 4244a) as a use permitted by Conditional Use Permit subject to standards in Section 35.2-72.29 – p. 112
- Section 35.2-52.2 – Authorized Uses – Exhibit IV-26 Authorized Uses in the I-2 District
 - Amend description of LBCS #4244 (data processing and management, hosting and related services) – p. 120
 - Add Data Center (LBCS# 4244a) as a use permitted by Conditional Use Permit subject to standards in Section 35.2-72.29 – p. 120
- Section 35.2-53.2 – Authorized Uses – Exhibit IV-28 Authorized Uses in the I-3 District

THE CITY OF LYNCHBURG COMMUNITY DEVELOPMENT

900 Church Street
Lynchburg, VA 24504



- Amend description of LBCS #4244 (data processing and management, hosting and related services) – p. 129
- Add Data Center (LBCS# 4244a) as a use permitted by Conditional Use Permit subject to standards in Section 35.2-72.29 – p. 129
- **New Section 35.2-72.29 – Data Centers**
 - Sets zoning districts where data centers are allowed by conditional use permit – I-1, Restricted Industrial District, I-2, Light Industrial District, I-3, Heavy Industrial District, and IN-2, Institutional District 2, – p. 133
 - Sets standards for information to be included as part of a conditional use permit application – section (a) on p. 133
 - Sets setback and screening requirements – section (b) on p. 133-134
 - Sets generator testing timing and noise standards – section (c) on p. 134
 - Sets noise and noise monitoring standards - section (d) on p. 134-135
 - Sets maximum height – section (e) on p. 135
- **APPENDIX A – TABLE OF AUTHORIZED LAND USES**
 - Amend description of LBCS #4244 (data processing and management, hosting and related services) – p. 156
 - Amend table to list data center (LBCS# 4244a) as permitted by conditional use permit in the I-1, Restricted Industrial District, I-2, Light Industrial District, I-3, Heavy Industrial District, and IN-2, Institutional District 2 – p. 156

79.	79.	Data Center: A premises in which the majority of the use is occupied by computers and/or telecommunications and related equipment for processing, storing, or transferring information. Ancillary utility substations, power generators, and other supporting equipment associated with the primary data center use is also included.
79.	80.	Decorative landscape stone: Stone that has natural or manmade distinguishing characteristics such as color and shape. Decorative landscape stone may be used as mulch.
80.	81.	Delineated wetland: An area delineated by the U.S. Army Corps of Engineers as a wetland.
81.	82.	Demolition: The dismantling or tearing down of all or part of any building or structure and all operations incidental thereto.
82.	83.	Depth of lot: The mean horizontal distance between the front lot line and rear lot line of a lot.
83.	84.	Detached building: A building surrounded by yards or other open area on the same zoning lot.
84.	85.	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.
85.	86.	Development approval: Any City approval required for development.
86.	87.	Development area / disturbed area: All areas shown within the limits of clearing and grading on a concept plan or final site plan.
87.	88.	Development pattern: See land use development pattern
88.	89.	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.
89.	90.	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.
90.	91.	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.
91.	92.	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.

Land Uses in B-1	LBCS #	Description	Approval Type
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, <u>excluding data centers as defined in Section 35.2-113.</u>	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, 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	P

Land Uses in B-3	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, <u>excluding data centers as defined in Section 35.2-113.</u>	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

Land Uses in B-4	LBCS #	Description	Approval Type
data processing and management, hosting and related services	4244	Web hosting, computer data storage , optical scanning, computer input preparation, microfilm imaging, <u>excluding data centers as defined in Section 35.2-113.</u>	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, 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

Land Uses in B-5	LBCS #	Description	Approval Type
		motion picture and audio publishing. Includes newspaper publishing, greeting card printing and lithography	
Motion pictures and sound recording	4220	Produce and distribute motion pictures and sound recordings	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
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, <u>excluding data centers as defined in Section 35.2-113.</u>	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	C

Land Uses in IN-2	LBCS #	Description	Approval Type
Motion pictures and sound recording	4220	Produce and distribute motion pictures and sound recordings	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
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, <u>excluding data centers as defined in Section 35.2-113.</u>	P
<u>data center</u>	<u>4244a</u>	<u>Data centers as defined in Section 35.2-113</u> <u>(see standards in Section 35.2-72.29)</u>	C
Public Utilities Services, Major	4315, 4329,	Includes transmission lines for water, wastewater, stormwater, electricity, natural	C

Land Uses in I-1	LBCS #	Description	I-1
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, <u>excluding data centers as defined in Section 35.2-113.</u>	P
<u>data center</u>	<u>4244a</u>	<u>Data centers as defined in Section 35.2-113</u> <u>(see standards in Section 35.2-72.29)</u>	C
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 Services, 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	P

Land Uses in I-2	LBCS #	Description	Approval Type
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	P
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, <u>excluding data centers as defined in Section 35.2-113.</u>	P
<u>data center</u>	<u>4244a</u>	<u>Data centers as defined in Section 35.2-113</u> <u>(see standards in Section 35.2-72.29)</u>	C
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.	P
Public Utilities Services, Minor	4315, 4329,	Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the	P

Land Uses in I-3	LBCS #	Description	Approval Type
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	P
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, <u>excluding data centers as defined in Section 35.2-113.</u>	P
<u>data center</u>	4244a	<u>Data centers as defined in Section 35.2-113</u> <u>(see standards in Section 35.2-72.29)</u>	C
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	P

10. That the Code of City of Lynchburg, 1981, is hereby amended and reenacted by creating a new Section 35.2-72.29 of Article VII of Chapter 35.2 as follows:

Section 35.2-72.29. – Data Centers

Data Centers (see LBCS code 4244a) are permitted by conditional use permit in the I-1, Restricted Industrial District, I-2, Light Industrial District, I-3, Heavy Industrial District, and IN-2, Institutional District 2, and shall meet the following standards:

(a) In addition to the requirements of Sec. 35.2-11, the following shall be provided as part of a conditional use permit application:

- 1. A site assessment to examine the sound profile of the data center on residential units and schools located within 1000 feet of the data center property boundary in accordance with subsection (d) below.**
- 2. A site assessment evaluating the effect of the proposed facility on (i) ground and surface water resources, (ii) agricultural resources, (iii) parks, (iv) registered historic sites, and (v) forestland on the data center site or immediately contiguous land.**
- 3. Details of any new or existing substations that will be used to serve the data center, (ii) the anticipated transmission voltage required to serve the data center, and (iii) the anticipated routes of any new transmission lines needed to serve the data center.**
- 4. Details of the (i) anticipated water daily and annual usage required to serve the data center facility, (ii) type of cooling for the facility (ex. air cooling, closed loop water system, open loop water system, etc.), (iii) whether the facility will use potable or reclaimed water, (iv) anticipated daily and annual amount of wastewater, and (v) how the facility will purify wastewater.**

(b) Setback and Screening Requirements

- 1. Data center structures and ancillary equipment shall be at least one thousand (1000) feet when adjoining property is zoned R-C, Conservation District, R-1, Low Density Residential District, R-2, Low Density Residential District, R-3, Low-Medium Density Residential District, or R-4, High Density Residential District.**
- 2. A vegetative evergreen buffer compliant with Sec. 35.2-63.10 shall be provided around the perimeter of the property, unless adjoining property is zoned I-1, Restricted Industrial District, I-2, Light Industrial District, or I-3, Heavy Industrial District.**
- 3. Ground mounted and roof top mechanical equipment shall be screened from public roadways and adjoining properties on all sides.**
 - i) All generators shall be enclosed with an approved enclosure or located within the primary structure.**
 - ii) For other Mechanical Equipment, an opaque screen shall be provided when visible from public roadways and adjoining properties on all sides. This screening may be provided by either the principal building, louvered wall, or equivalent screen approved by the City**

Planner. The maximum height of the opaque screen should correspond to the tallest piece of equipment being shielded from view.

(c) Generator testing and cycling shall be limited to weekdays (Monday to Friday) between the hours of 8:00 a.m. to 5:00 p.m. Notwithstanding the foregoing, all noise generated by a data center, including generators, shall comply with Sec. 26-56.

(d) Noise and Noise Monitoring.

1. The applicant shall submit an Environmental Noise Impact Assessment prepared by a qualified full member of the Acoustical Society of America (ASA), a member of the Institute of Noise Control Engineering (INCE), or a member of the National Association of Acoustical Consultants (NCAC). The purpose of such noise impact assessment, modeled in SoundPLAN, CadnaA, or accepted equivalent, shall model anticipated noise levels as a result of facility operation and establish a baseline noise level prior to approval of a rezoning or conditional use permit.
2. A noise study certifying noise levels shall be conducted within ninety (90) days after the issuance of the first Certificate of Occupancy (CO) and every 12 months thereafter. Each noise study shall be submitted for review to the Zoning Administrator and/or his/her designee to assess the actual impact of the completed project.
 - i) The measurement of sound or noise pursuant to this section shall be as follows:
 - (1) The measurement of sound or noise shall be made with a Type 1 or Type 2 sound level meter which meet the standards prescribed in ANSI S1.4:2014, "Specification for Sound Level Meters." The instruments shall be maintained in calibration and good working order. A minimum of three (3) sound level readings shall be taken. The average of these readings will be used as the average sound level. If the background noise is equal to the levels set forth in this section, three (3) dB shall be subtracted out of the average sound level.
 - (2) The slow meter response of the sound level meter shall be used to determine that the average amplitude has not exceeded the dBA readings or the limiting noise spectra set forth in this section.
 - (3) Unless otherwise specified, the measurement shall be taken at the property boundary on which such noise is generated.
 - ii) Any additions, alterations, or expansion of a facility or its equipment shall require a new noise impact assessment to be submitted and approved by the Zoning Administrator.
 - iii) If the post construction noise study exceeds the maximum noise level permitted, additional noise mitigation strategies, improvements, or operational changes shall be required to reduce the noise to the permitted level.
3. Any equipment necessary for cooling, ventilating, or otherwise operating the facility, including power generators or other power supply equipment on the Property, whether ground-mounted or roof-mounted, shall include the following noise mitigation elements:
 - i) Low noise emission fans.
 - ii) Acoustic wraps for compressors and oil separators; and
 - iii) An acoustic perimeter, which may include a perimeter around a group of individual chillers, which may be louvered or solid.
 - iv) Other sound attenuation measures as approved by the Zoning Administrator.

4. The Owner shall provide documentation, in the form of technical specifications, photographs, and/or engineered plans, of the above mitigation measures contained in (2) with each building permit for a data center building on the Property and shall further provide documentation that such measures have been installed concurrently with each occupancy.
- (e) The maximum height for a data center facility shall be forty-five (45) feet.

(Remainder of Page Intentionally Left Blank)

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, <u>excluding data centers as defined in Section 35.2-113.</u>						P	P	P	P		P	P	P	P
<u>data center</u>	<u>4244a</u>	<u>Data centers as defined in Section 35.2-113 (see standards in Section 35.2-72.29)</u>											C	C	C	C

MINUTES OF THE May 27, 2026, PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED):

Consideration of amendments to the Code of the City of Lynchburg, 1981 (more specifically Section 35.2, the City of Lynchburg’s Zoning Ordinance), by (i) amending Section 35.2-113 of Article XI of Chapter 35.2 to create a definition for Data Center and alter other definition(s) as needed to distinguish Data Center uses, (ii) amending Section 35.2-51 of Article IV of Chapter 35.2 to authorize Data Centers in I-1, Restricted Industrial Districts, with a Conditional Use Permit; (iii) amending Section 35.2-52 of Article IV of Chapter 35.2 to authorize Data Centers in I-2, Light Industrial Districts, with a Conditional Use Permit; (iv) amending Section 35.2-53 of Article IV of Chapter 35.2 to authorize Data Centers in I-3, Heavy Industrial Districts, with a Conditional Use Permit; (v) amending Section 35.2-50 of Article IV of Chapter 35.2, to authorize Data Centers in IN-2, Institutional District 2, with a Conditional Use Permit; (vi) creating Section 35.2-72.29 of Article VII of Chapter 35.2 to establish specific zoning standards, limitations, and restrictions for Data Centers in the City of Lynchburg, Virginia; and (vii) amending Appendix A – Table of Authorized Land Uses of Article XI of Chapter 35.2 to include Data Centers thereunder as an authorized land use (LBCS #4244a) by Conditional Use Permit in the aforementioned zoning districts. Currently, Data Centers would be allowed ‘by right’ in the following districts: B-1, Limited Business District, B-3, Community Business District, B-4, Urban Commercial District, B-5, General Business District, IN-2, Institutional District 2, I-1, Restricted Industrial Districts, I-2, Light Industrial Districts, and I-3, Heavy Industrial Districts.

Ms. Rachel Frischeisen, City Planner, provided the following summary to the Commission. The Planning Commission had directed planning staff to research possible Zoning Ordinance updates regarding data centers on September 10, 2025. A work session was held on April 22, 2026, where the Commission discussed potential ordinance updates and regulations with staff. Currently, Lynchburg has not had specific inquiries or proposals for a data center, yet there could be a request for such a facility in the future and the city would want to be prepared for that possibility. The guiding principles for this draft were to mitigate the impacts of these facilities on residents and surrounding land uses, preserve Business Districts for true commercial use, and to enable evaluation of data center proposals on a case-by-case basis in Industrial and Institutional 2 Districts. Within the city’s current ordinance, data centers fall under LBCS 4244, “data processing and management, hosting and related services.” This means that data centers are currently allowed by-right in all Business Districts, Industrial Districts, and the IN-2, Institutional District 2. By-right use means that Planning Commission would not be able to make a recommendation and City Council would not be able to approve or deny these facilities on a case-by-case basis. Additionally, there are no specific land use standards for data centers, such as buffering or special setbacks. With that in mind, the proposed updates would include a definition that addresses data centers specifically.

Once the term “data center” is defined, the use would need to be distinguished from the category that it currently falls within. The LCBS #4244 description within the definitions section of the Zoning Ordinance would be amended, with the term “computer data storage” being struck out to explicitly exclude data centers. Doing so will remove data centers as a by-right use. An additional use would be added as LCBS #4244a, which will specifically articulate data centers as to be allowed by Conditional Use Permit only in the Industrial Districts and the IN-2, Institutional District 2. That summarizes the changes to the zoning districts themselves. Next, for the land use specific standards, the proposed creation of Section 35.2-72.29 would first set requirements for information needed as part of the Conditional Use Permit application. This section would include additional requirements such as site assessments of noise profile, new or existing substations, transmission voltage needed, details of water usage and purification of wastewater, etc.

Commissioner Gammon asked if the petitioner would be required to inform the Commission if potable water will be used.

Ms. Frischeisen replied yes, that information would need to be included as part of the Conditional Use Permit application.

Ms. Frischeisen continued with her summary to the Commission, noting that setbacks and screening requirements would also be set within this proposed section. Per the Commission’s work session discussion: a setback requirement from residential zoning would be required for these facilities; a specific timeframe

would be established for generator testing (Monday-Friday from 8am-5pm); noise monitoring would be required in the form of a noise study that would be take place twelve (12) months after the issuance of the first Certificate of Occupancy and every twelve (12) months thereafter; the maximum height of a data center facility would be capped at forty-five (45) feet. Options for the residential buffer could be 250, 500, or 1,000 feet; much of the city is residentially zoned so there is a limited area in which data centers could be permitted.

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

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

Commissioner Henderson asked what could realistically go within the IN-2, Institutional District 2.

Ms. Frischeisen replied that Liberty University and Lynchburg General Hospital campuses are the only IN-2 zoned areas in the city. The IN-2 district is modeled around the B-5, General Business District. The difference between them is that within Business Districts, schools, universities, and hospitals have a limitation on their size, whereas the Institutional Districts do not.

Commissioner Cox asked if the proposed updates would exclude the University of Lynchburg or Randolph College from having the ability to put in a data center.

Ms. Frischeisen replied that on a campus like those examples, a data center would not be the primary use as defined in the proposed data center definition, because majority of the premises would not be used as the data center

Commissioner Gammon asked how premises would be defined.

Ms. Frischeisen replied that if a term is not defined in the ordinance, then the definition would come from the Miriam Webster dictionary.

Commissioner Gammon commented that a shed or warehouse could be sectioned off and used for a data center without it being considered as a primary use.

Commissioner Cox clarified that he did not want the University of Lynchburg or Randolph College to be prohibited from installing their own data centers for campus use as a result of this ordinance update.

Commissioner Gammon stated that he was concerned with the wording of the proposed definition. In particular the phrase "premises in which the majority of use is occupied by computers," as a very small section of a university campus or Framatome could be used to set up a data center and still be a large facility. Yet, the facility would not be considered the primary function of the business and fall outside of the definition.

Ms. Frischeisen replied that the wording could be adjusted by the Commission if so desired.

Commissioner Perault stated that the definition of premises was "structures and land that make up a parcel of property."

Commissioner Gammon asked if it would be possible for Liberty University to take twenty (20) acres of land on their campus and have a data center placed there.

Ms. Frischeisen replied that at that scale the university could acquire a Conditional Use Permit since it would be within the IN-2 district. She said that Commissioner Cox seemed to be asking about smaller scale usage.

Commissioner Cox responded yes, he was.

Ms. Frischeisen said that a data center facility would be considered an accessory to the university at that scale. This proposed definition would not apply.

Commissioner Gammon commented that if the one thousand (1,000) foot buffer was chosen, then it would be a moot point, given the limited number of viable parcels in the city that would meet that requirement.

Commissioner Amy said the one thousand (1,000) foot buffer would reduce the only possible locations to Liberty University and the Montview area. Even the viability of the Industrial Park is greatly reduced with the one thousand (1,000) foot buffer.

Ms. Frischeisen said that the buffer could be reduced to five hundred (500) feet to make more sites available.

Commissioner Gammon said that in his opinion the Commission was utilizing the power of zoning to restrict data centers within the city for the time being. In time, data centers could shrink in size or potentially orient vertically, utilizing older buildings within the city to do so. Currently, these facilities tend to be built on large tracts of land and the likelihood of a data center being constructed within the city is low.

Commissioner Amy asked if these ordinance updates would remove these facilities from being put in by-right.

Ms. Frischeisen replied yes.

Commissioner Perault said that the one thousand (1,000) foot buffer should be recommended and City Council could decide if it should be reduced. It would be easier to lower the buffer requirement than to raise it. The Commission has revisited items such as this one before.

Chair Rogers asked if staff had spoken with the Economic Development Authority (EDA), particularly on how these updates could have impact on the usage of land at Lynchpin Industrial Park.

Ms. Frischeisen replied no, staff had not spoken specifically with EDA, but they could do so.

Chair Rogers responded that there were underutilized and unused tracts of land in the Industrial Park that would be great sites for such a facility.

Commissioner Gammon agreed but added that data centers do not employ many people.

Chair Rogers commented that there could be a change in footprint for these facilities in the future. There are already multiple variables regarding data centers, such as quantify of water used, facility size, and noise. He agreed with Commissioner Perault that they should keep the buffer at one thousand (1,000) feet.

Commissioner Amy asked if there was a height limit on the buildings within the industrial parks.

Ms. Frischeisen replied that Industrial Districts do not have a height limit as part of the base zoning district standards.

Commissioner Gammon noted that the draft ordinance lists a height limit of forty-five (45) feet for these facilities.

Ms. Frischeisen responded that the height limit specifically for a data center was included given the Commission's discussions during their work session meeting. The Commission could decide to remove the height restriction, as there could be potential for future data centers to go vertical as technology changes.

Commissioner Cox said that it would be better to err on the side of caution with the height requirement as they had done with the buffer. If the Commission wants to adjust either, they could do so later through another ordinance amendment.

Chair Rogers agreed, as the taller the facility is, the greater a buffer is needed, due to the increase in noise. He asked Ms. Frischeisen if a data center could go in at 901 Main Street under the current zoning

ordinance.

Ms. Frischeisen replied yes.

Chair Rogers asked if these updates to the ordinance were to pass, would it keep a facility from going in at that location.

Ms. Frischeisen replied that a data center would not be able to be located there under these updates unless City Council decided to change it and add the Business Districts back in as options. The B-4, Urban Commercial District would not allow for a data center under the current draft ordinance.

Commissioner Perault said he appreciated the list of requirements that would need to be included in a Conditional Use Permit petition. He asked if the sound profile would provide an estimate on how loud the facility would be.

Ms. Frischeisen replied that to measure the impact on the surrounding area they would need to know how loud the facility would be. All noise generated by a data center, including the generators, shall comply with the noise ordinance in effect for all Industrial Districts.

Commissioner Henderson said that people report a constant low-frequency sound associated with data centers, similar to humming. He was concerned that the noise ordinance would not be able to address this concern as it would be well below the threshold of the noise ordinance.

Commissioner Cox commented that there were no thresholds within the current draft for high or low frequency noises.

Commissioner Henderson asked if there were any thresholds for minimum and maximum usage of water or energy.

Ms. Frischeisen replied that from her discussion with the Department of Water Resources, their focus would be on where the facility would be going and what the capacity was in that area, instead of a generalized threshold or limit to water usage set by the ordinance. Consideration would be based on what the water and sanitary systems could take on, which is why evaluation on a case-by-case basis with a Conditional Use Permit would be necessary.

Commissioner Henderson asked how droughts could impact decision-making when it came to data center water usage. Could an outline of an action plan for extreme weather conditions be included as part of the application for a Conditional Use Permit?

Commissioner Gammon replied that proposed Section 35.2-72.29 requires a "site assessment evaluating the effect of proposed facility on ground and surface water resources, agricultural resources, parks, etc." Those estimates would have to be provided to showcase the potential impact to the water supply.

Commissioner Amy responded that section touches on anticipated daily water consumption. A line could be added regarding extreme situations.

Commissioner Perault stated that the case-by-case evaluation would allow consideration for variables such as extreme weather like a drought. The Planning Commission and City Council could request a staff member from the Department of Water Resources to be present at a meeting.

Ms. Frischeisen explained that, as part of the Technical Review Committee process, all petitions are reviewed by subject matter experts from each City department. Staff can weigh in on what will and will not work regarding a petition.

Commissioner Woodson said the data center companies themselves should be aware of and prepared for situations such as extreme weather, such as a drought. He commented that the height requirement should consider both the safety and fire hazard potential of a taller facility as it would have greater risk.

Commissioner Henderson said that an annual noise test seemed too long a stretch of time. He recommended adding a ninety (90) day noise testing requirement after the establishment of a data center and a caveat that if new equipment is put in, then a new noise test would be required.

Ms. Frischeisen proposed adding wording stating that "a noise study certifying noise level shall be conducted within ninety (90) days of the certificate of occupancy."

Commissioner Henderson said that he was concerned with citizens not having a voice until a year later regarding noise levels.

Chair Rogers said that if a data center were to expand its footprint, then that should require another noise study. When only adding equipment within a building that is zoned for it and which already has a certificate of occupancy, it would be difficult to require additional testing. Any change would eventually be caught with the annual testing requirement.

Commissioner Henderson stated that if a data center were to be installed and thirty (30) days later is egregiously harmful to the surrounding area, then he would like to have a way for citizens to voice their concerns.

Commissioner Amy agreed with having a noise test thirty (30) to ninety (90) days after receiving a Certificate of Occupancy.

Chair Rogers suggested that it should instead be within ninety (90) days of the startup of a facility. It would not be fair to require testing within as little as thirty (30) days .

Commissioner Gammon commented that it could take the facility up to a year to reach full capacity. If the project is unphased and at hundred percent, then ninety (90) days would work.

Ms. Frischeisen explained that when a building permit is submitted for a parcel that has a Conditional Use Permit, it is flagged for additional review. This process ensures that the building permit is in compliance with the Conditional Use Permit. As part of the building permit, documentation would need to be submitted to include noise mitigation. The draft amendment states that it would be on the applicant to show that the facility would be built to specification and would have those mitigation measures installed.

Commissioner Perault noted that any upgrades would be subject to the same requirements to stay within the Conditional Use Permit specifications.

Commissioner Gammon commented that the concern would be that at ninety (90) days the facility could only be at forty (40) percent of operations and after that could jump up to a hundred (100) percent and not be in compliance for the next nine months.

Chair Rogers stated that data centers have to tie in their emergency power generation to the capacity of the facility. These facilities must run continuously while also having enough power in reserve for emergencies. If the building were to go through growth phases, more power would be added for emergency backup power. It would be up to the petitioner to explain what they were doing.

Commissioner Gammon said that was a good point and that the backup power could reveal more of the scale of the project and what the petitioner planned to do.

Commissioner Cox asked if the city code currently had triggers for facility design changes or modifications that would require them to be brought back before the Planning Commission or City Council for review.

Ms. Frischeisen replied that it would depend on what type of conditions were put in place with a Conditional Use Permit. Whether it be power or water usage, noise levels, or footprint of the building, if the petitioner would want to expand beyond what the conditions state, then they would have to come back before the Planning Commission and City Council with a new Conditional Use Permitpetition. When the Commission or Council set conditions, they are essentially making the rules for that Conditional Use Permit.

Chair Rogers said that Planning Commission is there to determine the use. City staff were there to explain why a condition may be necessary for a petition.

Commissioner Gammon commented that these nitpicky requirements are necessary to keep people from trying to utilize loopholes to avoid requirements.

Chair Rogers said hopefully this process would help to eliminate those who would buy and lock up land on speculation of selling it to someone wanting to build a data center.

Commissioner Gammon asked if the Commission would be adding noise testing at ninety (90) days when the data center is at planned full capacity.

Commissioner Perault said he was not sold on the wording of full capacity as the facility could keep its capacity at ninety-five (95) percent. He agreed with Ms. Frischeisen on using the certificate of occupancy as the trigger for the ninety days.

Ms. Frischeisen commented that once the certificate of occupancy is obtained, then the facility could actually start operations.

Commissioner Perault commented that there was only so much the Commission could do to address this issue.

Chair Rogers said adding the ninety (90) days noise testing and the annual testing requirement gives the ordinance some teeth to show that the city is serious about it.

Commissioner Amy agreed as within the first (1) year the petitioner would need to meet the requirement on three separate occasions. He recommended the wording be, "conducted within ninety days after the issuance of the first certificate of occupancy and every twelve months thereafter."

Ms. Frischeisen responded that staff would change the wording to include the ninety (90) day noise testing. She asked the Commission if they would like to keep the one thousand (1,000) foot buffer.

Commissioner Perault said he was fine with the one thousand (1,000) foot buffer and forty-five (45) foot height limit.

Chair Rogers asked if the thousand (1,000) foot buffer was common in other localities.

Ms. Frischeisen replied that there was a wide range of possibilities with how other localities handled the buffer. Other localities indicate that having these facilities next to residential areas often became very problematic. Two hundred fifty (250) and five hundred (500) feet are not large distances when measuring it out on the ground. Of course, if Planning Commission or City Council felt the need to change or eliminate the buffer, then it is within their purview to do so.

Commissioner Woodson asked if staff had spoken with other localities in Virginia about the problems they had been facing with data centers.

Ms. Frischeisen replied that staff had gone through the best practices and read through other localities' ordinances. Staff found a wide range regarding the level of complexity of those ordinances and endeavored to strike a balanced approach to this ordinance update. The Commission's work session also helped to focus and finalize this update.

Commissioner Woodson commented that the Governor of Virginia was pushing to have data centers pay taxes.

Commissioner Amy responded yes, sales tax.

Chair Rogers said that the facilities would not be taxed on tools or personal property. It seemed that

what communities liked about data centers was the tax revenue.

Ms. Frischeisen said that the focus with this zoning ordinance update was on the land use compatibility.

Commissioner Amy said that the industrial areas around Liberty University and Montview are surrounded by roadways such as the Expressway, Candler's Mountain, and Route 460. There is little residential area around them and the thousand-foot buffer has little impact on reducing viable parcels. The area is already industrial and would be a good fit for a data center facility.

Chair Rogers commented that Liberty University could petition to change all the residential areas along the city limits near the new fire station along Odd Fellows to IN-2, Institutional District 2 and open up more land for them to use.

Ms. Frischeisen agreed that they could.

Commissioner Gammon asked who had a hand in creating these ordinance updates.

Ms. Frischeisen replied that staff read through other localities' codes, best practices documentation, and utilized Frederick County's ordinance as a baseline, in particular for the noise mitigation portion, which included a great deal of detail. Having these specifications, especially for noise, allows for the articulation of what needs to be measured and details the necessary information for which the petitioner is being held responsible.

Commissioner Gammon expressed his appreciation to Ms. Frischeisen for the detailedness of the ordinance draft.

Chair Rogers said that he liked the consistency the draft has with other ordinances already in place.

Ms. Frischeisen said that staff will add the ninety (90) day requirement and that she would speak with the City Attorney on adding consideration for circumstances like a drought.

Commissioner Cox recommended that under section B the word manufacturer should be removed. A manufacturer may approve something that the Commission would not want.

Ms. Frischeisen replied that she would need to look further into removing the word as it may be a fire hazard to not use manufacturer approved equipment.

Commissioner Cox said it would give the Commission more control over the Conditional Use Permit if that were removed. This draft was a good move forward.

Commissioner Perault made the following motion, seconded by Commissioner Cox. The motion to approve passed 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; Amend Sections 35.2-45, 35.2-46, 35.2-47, 35.2-48, 35.2-50, 35.2-51, 35.2-52, 35.2-53; Create New Section 35.2-72.29, Data Centers; and Amend Appendix A, Table of Authorized Land Uses."

AYES: Amy, Cox, Gammon, Henderson, Perault, Rogers, Woodson	7
NOES:	0
ABSTENTIONS:	0
ABSENT:	0

The Department of Community Development
City Hall, Lynchburg, VA 24504 **434-455-3900**

To: Planning Commission
From: Planning Division
Date: May 27, 2025
Re: **ZONING ORDINANCE AMENDMENT(s): Amend Section 35.2-113, Definitions; Amend Sections 35.2-45, 35.2-46, 35.2-47, 35.2-48, 35.2-50, 35.2-51, 35.2-52, 35.2-53; Create New Section 35.2-72.29, Data Centers; and Amend Appendix A, Table of Authorized Land Uses**

I. PETITIONER

City of Lynchburg, 900 Church Street, Lynchburg, Virginia 24504
Representative: Rachel Frischeisen, City Planner, Community Development, 900 Church Street, Lynchburg, Virginia 24504
Property Owner: N/A

II. LOCATION

The proposed *Zoning Ordinance* Amendments would permit data centers by conditional use permit in the I-1, Limited Industrial District, I-2, Light Industrial District, I-3 Heavy Industrial District, and IN-2, Institutional District 2, subject to the standards as proposed in a new Section 35.2-72.29, Data Centers.

III. PURPOSE

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

- Define “data centers.”
- Amend the description of LBCS 4244, “data processing and management, hosting and related services”
- Set zoning standards for data centers within the City.
- Permit data centers, upon approval of a Conditional Use Permit, within the I-1, Limited Industrial District, I-2, Light Industrial District, I-3 Heavy Industrial District, and IN-2, Institutional District 2

IV. SUMMARY

- On September 10, 2025, Planning Commission directed staff (6-0) to initiate the process of amending the Zoning Ordinance to regulate data centers.
- There are currently no data centers located within the City of Lynchburg.
- Data Centers are currently permitted by right under LBCS 4244, “data processing and management, hosting and related services” in the B-1, Limited Business District, B-3, Community Business District, B-4, Urban Commercial District, B-5, General Business District, IN-2, Institutional District 2, I-1, Restricted Industrial Districts, I-2, Light Industrial Districts, and I-3, Heavy Industrial Districts.

Planning Commission 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.** The proposed *Zoning Ordinance* amendments would not prohibit the establishment of a data center, but would limit the zoning districts in which they may be located subject to a conditional use permit and the proposed standards. Given the significant impacts of a data center on water, energy, surrounding land uses, and other factors, it is appropriate to provide opportunities for neighborhood input through public hearings and oversight by City Council through the issuance of Conditional Use Permits for these facilities.
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; Amend Sections 35.2-45, 35.2-46, 35.2-47, 35.2-48, 35.2-50, 35.2-51, 35.2-52, 35.2-53; Create New Section 35.2-72.29, Data Centers; and Amend Appendix A, Table of Authorized Land Uses

This matter is respectfully offered for your consideration.



Rachel Frischeisen
City Planner

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

VII. ATTACHMENTS

1. Proposed Ordinance

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Ms. Frischeisen replied there were not.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Commissioner Gammon agreed with Commissioner Amy.

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

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

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

MINUTES OF THE SEPTEMBER 10, 2025, PLANNING COMMISSION MEETING (MINUTES HAVE BEEN APPROVED):

Initiation of a Zoning Ordinance Amendment for Data Centers

Chair Rogers introduced the topic of data centers and the potential for data centers in commercially zoned, or other, areas. He asked Ms. Frischeisen if the City has plans to address potential future development.

Ms. Frischeisen replied that the Zoning Ordinance does allow data centers in certain districts. The Commission could instruct staff to do an analysis and bring recommendations regarding any necessary revisions to the Zoning Ordinance.

The Commission agreed that it would be worthwhile to have more information on data centers. Noting also that they would like to know what other localities are doing.

Commissioner Cox made a motion to direct staff to bring additional information and recommendations on data centers. The motion was seconded by Commissioner Perault and passed by the following vote:

AYES: Cox, Gammon, Henderson, Perault, Rogers, Woodson	6
NOES:	0
ABSTENTIONS:	0
ABSENT: Young-Jefferson	1

AGENDA ITEM SUMMARY

MEETING DATE

June 23, 2026

PRESENTED BY

William Martin, Community Development
Director

AGENDA ITEM # IV.4

Derelict Buildings Dashboard

RECOMMENDATION

Information Only

SUMMARY

City Council adopted the Derelict Buildings Ordinance in 2022. Derelict buildings are those that might endanger the public's health, safety and welfare and for a twelve (12) month period have been vacant, boarded or otherwise secured and not lawfully connected to electric, water or sewer service. Once a building has been declared derelict, the owner has ninety (90) days to submit a plan to demolish or rehabilitate the structure. Failure to submit a plan results in a five hundred dollar (\$500) civil penalty being billed to the owner. Community Development staff started enforcing the Derelict Ordinance in 2024 for residential properties and enforcement for commercial properties was added in 2025 when authority was granted by State Code.

City staff will demonstrate the Derelict Dashboard which provides data indicating how the Derelict Ordinance is working to address blighted properties, increase property values and stabilize neighborhoods.

PRIOR ACTION(S)

June 28, 2022: City Council adopted Article II(A) Derelict Buildings Ordinance.

June 10, 2025: City Council revised the Derelict Buildings Ordinance to include nonresidential buildings.

FISCAL IMPACT

N/A

CONTACT(S)

William Martin, Community Development Director

ATTACHMENT(S)

None

REVIEWED BY



William Martin, Community Development Director

Date: June 16, 2026



Kent White, Assistant City Manager

Date: June 16, 2026



Alicia Finney-Andrews, Clerk of Council

Date: June 18, 2026